

COURT PAPERS

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA  
NEW ORLEANS DIVISION

CLAY L. SHAW

VS.

JIM GARRISON, individually, and  
as District Attorney, etc.

NO. 71-135

CIVIL ACTION

SECTION A

Testimony of LOUIS W. IVON, taken on January 26 and 27,  
1971, in open court

1 UNITED STATES DISTRICT COURT  
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4 CLAY L. SHAW

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7 as District Attorney for the  
Parish of Orleans, State of La.

SECTION A

8 Testimony of LOUIS W. IVON, taken in the above numbered  
9 and entitled cause on January 26 and 27, 1971, in open  
10 court, The Honorable Herbert W. Christenberry, Judge,  
11 presiding.

12 APPEARANCES:

13 Edward F. Wegmann, William J. Wegmann, F. Irvin  
14 Dymond and Salvatore Panzeca,  
counsel for plaintiff.

15 John P. Volz, William Alford, Jr., Andrew J.  
16 Sciambra, and Numa V. Bertel, Assistant  
17 District Attorneys for the Parish of  
Orleans, State of Louisiana.

18  
19  
20 REPORTED BY:

21 Robert L. Lee, Official Reporter  
22 United States District Court  
23  
24  
25

January 26, 1971

2

1  
2 LOUIS W. IVON, after first being duly sworn by the  
3 deputy clerk, testified as follows:

4 DIRECT EXAMINATION

5 BY MR. WEGMANN:

6 Q State your name and address please.

7 A Louis W. Ivon, 10115 Seawood Drive.

8 Q What is your occupation?

9 A Police officer, New Orleans Police Department.

10 Q How long have you been employed on the New Orleans  
11 Police Force?

12 A 15 years.

13 Q Are you presently assigned to the District Attor-  
14 ney's office?

15 A Yes, sir.

16 Q How long have you been so assigned?

17 A Since 1962.

18 Q What were your duties in the District Attorney's  
19 office during the period September of 1966 through  
20 March of 1969?

21 A I believe I was chief investigator at that time.

22 Q During that period did you not devote all of your  
23 time to matters pertaining to the Garrison Kennedy assassi-  
24 nation probe?

25 A No.

1 Q Let's go back. Who arrested Mr. Shaw?

2 A I did.

3 Q At the time you arrested him, did you advise him of  
4 his Constitutional rights?

5 A I don't reme mber.

6 BY THE COURT:

7 Q Let me ask you: Was Mr. Sciambra with you when you  
8 made the arrest?

9 A Yes, sir. He was the assistant District Attorney on  
10 the case, one of them. He was doing a lot of the  
11 investigating.

12 Q Where was this that the arrest was made?

13 A In the office.

14 Q The District Attorney's office?

15 A Yes, sir.

16 Q How long was Mr. Shaw in the office before you  
17 arrested him?

18 A I think it was voluntarily.

19 Q Was he requested to come in, or was he under a  
20 charge when he came in?

21 A No, sir; he was requested to come in.

22 BY MR. WEGMANN:

23 Q As a matter of fact, Mr. Shaw telephoned Garrison's  
24 office and said he had heard on the television that  
25 a subpoena had been issued for him, or for his arrest;

1 Q What percentage of your time would you say that 3  
2 you devoted to that?  
3 A Maybe-- maybe 50%.  
4 Q When Clay Shaw first came to the District Attorney's  
5 office, which was on December 24, 1966, did you  
6 participate in that interrogation?  
7 A No. Now, I was present at the interrogation, but  
8 I'm not sure of the date.  
9 Q Did you arrest Clay Shaw on March 1, 1967?  
10 A Yes, sir.  
11 Q At what time of day was it?  
12 A It was in the late afternoon.  
13 Q Upon whose orders or instructions?  
14 A The District Attorney, Jim Garrison.  
15 Q What did he tell you at that time?  
16 A He instructed me to place him under arrest.  
17 Q For what?  
18 A For conspiracy.  
19 Q Conspiracy to do what?  
20 A To commit murder, of the late President.  
21 Q At the time you arrested Mr. Shaw, did you advise  
22 him of his rights? Did you advise him of his Consti-  
23 tutional rights?  
24 A I think I did, or either Mr. Sciambra did. I don't  
25 recall, but one of us did.

1 is that not correct?

2 A I don't know.

3 Q You don't know?

4 A No, sir.

5 Q You don't know that Mr. Shaw stated that you didn't  
6 need to issue a subpoena for him, that he would come  
7 in whenever you wanted him to come in?

8 A I don't know.

9 Q Who interrogated Mr. Shaw?

10 A Myself and Andrew Sciambra; that's the only two I  
11 remember.

12 Q Did Mr. Oser participate in the interrogation?

13 A I don't believe; I am not sure.

14 Q Did Mr. Bertel participate in the interrogation?

15 A No.

16 Q About how long did you interrogate Mr. Shaw?

17 A Oh, about an hour, somewhere in there.

18 Q And how long after Mr. Shaw got there did you start  
19 interrogating him?

20 A Well, I wasn't there when he came in, but I will say  
21 it was about an hour after he got there, something like  
22 that. I am not sure of the time exactly.

23 Q Did you tape the interrogation?

24 A No.

25 Q Did you advise Mr. Shaw of his Constitutional rights

1 before you commenced interrogating him?

2 A No, I didn't.

3 Q Did Mr. Sciambra?

4 A I don't remember.

5 Q Was Mr. Shaw represented by counsel?

6 A No, he was not.

7 MR. VOLZ: Your Honor, I am going to object to the  
8 relevancy of this. This has only to do with the first  
9 trial, the conspiracy trial, and I don't see what it can  
10 have to do with this matter before the Court.

11 THE COURT: Overruled.

12 MR. VOLZ: But, Your Honor, we went over all of this  
13 yesterday. I don't see the least possible --

14 THE COURT: I suggest you sit down.

15 MR. VOLZ: But, Your Honor, I am addressing the Court.

16 THE COURT: I have ruled. Now, let's get on.

17 BY MR. WEGMANN:

18 Q Are you telling us that you don't know whether  
19 Mr. Shaw was read or told his Constitutional rights?  
20 Now, this didn't happen ten years ago; this happened  
21 just a couple of years ago, and you don't remember that?

22 MR. ALFORD: Your Honor, he's arguing with the witness.

23 The witness has said he doesn't remember. That's his answer.

24 THE COURT: Is that an objection?

25 MR. ALFORD: Yes, sir.

1 THE COURT: Overruled.

7

2 BY MR. WEGMANN:

3 Q When you arrested Mr. Shaw, was he handcuffed?

4 A I think I handcuffed him when he was taken out of  
5 the District Attorney's office, down the hallway to  
6 the elevator, and to the basement.

7 Q Now think, Mr. Ivon. Didn't you actually handcuff  
8 Mr. Shaw yourself? Don't you definitely remember that?

9 A I may have.

10 Q As a matter of fact, didn't I ask you to take the  
11 handcuffs off of Mr. Shaw?

12 A No.

13 Q As a matter of fact, didn't I ask you, why the hand-  
14 cuffs, that Mr. Shaw wasn't going any place?

15 A No. I think I would have remembered if you requested  
16 that, Mr. Wegmann.

17 BY THE COURT:

18 Q Well, did any counsel request it? Did Mr. Dymond  
19 request it?

20 A No, sir, I don't think Mr. Dymond was there.

21 BY MR. WEGMANN:

22 Q You don't recall that I asked you?

23 A No, I don't.

24 Q Do you recall my being there?

25 A Yes, sir, I believe you and your brother were both

1           there.

2       BY THE COURT:

3       Q     The hall was crowded, wasn't it?

4       A     Yes, sir, it was.

5       BY MR. WEGMANN:

6       Q     Isn't it a fact that as we left Garrison's office  
7           on the second floor of the Criminal Courts Building  
8           and proceeded toward the elevator, we were besieged  
9           by photographers, newsmen, television cameras,  
10          members of the general public, and other news media?

11      A     There was a crowd of news media out there, yes.

12      Q     And there was quite a congregation outside the door,  
13          wasn't there?

14      A     Yes, sir.

15      Q     What if anything did you do to protect Mr. Shaw?

16      A     Well, as a matter of fact, I did all I could to get  
17          Mr. Shaw to the elevator and down to the basement  
18          safely. I was trying to keep the crowd back.

19      Q     Didn't I accompany you and Mr. Shaw from Garrison's  
20          office to Central Lockup?

21      A     Yes, sir, you did.

22      Q     Now, aside from trying to keep the crowd back, what  
23          if anything did you do to protect Mr. Shaw and myself  
24          against harm such as that which was occasioned by  
25          Lee Harvey Oswald's removal by the Dallas police from

1 the Dallas jail?

2 A I had police officers alongside you to protect you  
3 from more or less the news media. They were the ones  
4 that were crowding around, trying to get closer with  
5 their cameras. I had an automobile come into the  
6 basement right outside the elevator there, and we got  
7 into the automobile and drove right over to Central  
8 Lockup.

9 Q Did you or any other member of Garrison's staff make  
10 any attempt to clear the corridor before we left  
11 Garrison's office?

12 A I didn't.

13 THE COURT: Well, if you could have seen it on televi-  
14 sion --

15 THE WITNESS: I didn't.

16 THE COURT: What's that? Speak up so that I can hear  
17 you.

18 THE WITNESS: I said I didn't see it on television.

19 THE COURT: Well, maybe you should have. I could hardly  
20 believe what I saw, yelling and crowding and pushing.

21 BY MR. WEGMANN:

22 Q Were any of the rooms in the District Attorney's office  
23 bugged on March 1, 1967?

24 MR. VOLZ: I object to that question. The manner of  
25 operating the District Attorney's office is certainly not

1 relevant to this case.

10

2 THE COURT: Overruled.

3 BY MR. WEGMANN:

4 Q Were any of the District Attorney's offices bugged  
5 on March 1, 1967?

6 A To my knowledge, no.

7 Q Do you know of any transcription being made of any  
8 conversations between Mr. Shaw and his attorney?

9 A No.

10 Q Do you know of any transcription being made of any  
11 of the conversations had by yourself or any other member  
12 of the District Attorney's staff with Mr. Shaw?

13 A No.

14 Q I show you check No. 7, dated October 13, 1967, drawn  
15 to the Jim Garrison fund, signed by Joseph Rault, Jr.,  
16 payable to Louis Ivon, for \$1,000, and ask you if you are  
17 the same Louis Ivon to whom this check was given?

18 A That's my signature.

19 Q That's your signature on the reverse of the check?

20 A It is.

21 Q Where did you cash this check, Mr. Ivon?

22 A I don't remember.

23 Q Do you recall that you cashed the check?

24 A That's my signature. I'm sure I cashed it.

25 THE COURT: Does the bank stamp show on it?

1 MR. WEGAMNN: Yes, sir, it does. The stamp on  
2 the reverse of the check bears the stamp of the Bank of  
3 Louisiana in New Orleans, October 17, 1967.

4 BY MR. WEGAMNN:

5 Q Who gave you that check, Mr. Ivon?

6 A It may have been sent to the office. I may have sent  
7 an investigator to pick it up. I put the "Received"  
8 stamp under my name and endorsed it and turned it  
9 over to Mr. Jones in our bookkeeping, or accounting,  
10 department.

11 Q Do you mean as a rule, or this specific check I am  
12 showing you? You cashed this check, did you not?

13 A Yes, this one I must have cashed. That's my signature.

14 Q What did you do with the money?

15 A I think that would be on our expense sheet. I think  
16 you got a copy of that too. Our expense sheet will  
17 explain what I did with the money.

18 Q I will be glad to exhibit to you any documents that  
19 we have here or that have been produced, but I do not  
20 have any expense sheet covering this check or any other  
21 checks for that matter.

22 BY THE COURT:

23 Q Well, let's find out, do you have the expense sheet  
24 that covers that?

25 A Yes, sir, I'm sure there is an expense sheet.

1 Q Who would have it?

2 A Danny Jones. He's the auditor.

3 MR. VOLZ: At this point, Your Honor, I say that all  
4 the records have been already turned over to counsel for  
5 Mr. Shaw. They are in possession of all of the records  
6 from Mr. Jones.

7 THE COURT: I didn't know that. I thought there were  
8 some that were still to be produced.

9 MR. VOLZ: No, sir. They had asked by interrogatories  
10 for some documents which we have produced, and although  
11 we don't contest the authenticity, we do object to the  
12 relevancy of some of them or going into any subject matter  
13 in connection with those documents that has no relevancy  
14 to this case.

15 MR. WEGMANN: That is not entirely accurate. I have  
16 some original bank statements and cancelled checks of the  
17 J. G. Safi Fund, but there are some that have not been  
18 produced, and neither have some other records, such as the  
19 expense sheets the witness has just testified about.

20 MR. VOLZ: Well, they have been produced, Mr. Wegmann.

21 MR. WEGMANN: If they have, I am not aware of it.

22 MR. VOLZ: To the best of my knowledge, they have, but  
23 if there is something you have called for and you don't  
24 have, we will be glad to furnish copies to you.

25 MR. WEGMANN: All right; thank you.

1 THE COURT: Get together and see if you can't work 13  
2 it out. If the documents have been called for, and  
3 have been produced, then they should be here. Suppose  
4 you check that out together. All right; let's get on.

5 BY MR. WEGMANN:

6 Q Now, Mr. Ivon, I show you a check -- check No. 4,  
7 drawn April 6, 1967, on the account, Truth and Conse-  
8 quences, signed by Joseph M. Rault, Jr., payable to  
9 Louis Ivon, in the amount of \$1,500, and which again  
10 purports to bear your signature on the reverse side  
11 thereof, and I ask you if that is your signature and did  
12 you receive that money?

13 A That is my endorsement, yes, sir.

14 Q Did you cash the check?

15 A Again I am going to have to refer you to the records,  
16 to be sure. The records will show that.

17 Q Mr. Ivon, I am going to ask you to answer yes or no,  
18 and then you can explain.

19 MR. VOLZ: Your Honor, he's asking for a yes or no  
20 answer when it apparently can't be answered yes or no. The  
21 witness doesn't remember, and he has told counsel where to  
22 get the information.

23 THE COURT: Overruled. If he doesn't remember, he can  
24 say so.

25 BY MR. WEGMANN:

1 Q Will you answer the question, Mr. Ivon? Did you 14  
2 cash this check?

3 A I endorsed it. Now, I can't tell you if I personally  
4 cashed it, because I don't know. You will have to  
5 ask Mr. Jones, who has the accounting records for all  
6 that.

7 BY THE COURT:

8 Q Let me ask you this: Before this investigation were  
9 accustomed to cashing checks for as much as \$1500  
10 and \$1000, before this investigation?

11 A When checks or contributions would come in before  
12 this investigation?

13 Q Yes.

14 A On all checks that come in any time, Your Honor, I  
15 endorse them and turn them over to our accounting  
16 department, and they are written up on the expense  
17 sheets, and that's what they are used for.

18 THE COURT: All right; proceed.

19 BY MR. WEGMANN:

20 Q I now come to a third check, Mr. Ivon, dated March 10,  
21 1967, for \$1500, drawn on Truth and Consequences and  
22 payable to you, and ask you if that is your signed  
23 endorsement on the reverse?

24 A It is.

25 Q And did you cash that check?

1 A I must have, and if I did it probably went to one  
2 of the investigators who needed it in advance for  
3 a trip.

4 A Investigators out of Mr. Garrison's office?

5 A Yes, sir. Or else it was endorsed and turned over to  
6 Mr. Jones to be entered in the expense fund, but again,  
7 his records will bear that out and he can tell you all  
8 of those things when he takes the stand.

9 Q How many investigators did you have on the District  
10 Attorney's staff, and who were they?

11 A Well, 12 or 14, I think. There were some civilians who  
12 helped out.

13 Q Who were the civilian investigators?

14 A Bill Gurvich was one. William Boxley was another, that  
15 worked as a civilian investigator at first. There  
16 was a Steve Jaffe. There was another one by the name  
17 of Sanders. Another one was named Beaubeouf. Then there  
18 was Lynn Loisel, and Tom Duffy and Frank Meloche.

19 BY THE COURT:

20 Q You received pay as a police officer, of course?

21 A Yes, sir.

22 Q Did you receive anything extra from these funds, or  
23 from any funds in the District Attorney's office?

24 A No, sir.

25 BY MR. WEGMANN:

1 Q You are familiar with the bank account styled 16  
2 J. G. Safi account, are you not?  
3 A We can say I knew we had it. I am not familiar with  
4 the payments or when the accounts were effective.  
5 Actually I think the account out there was under a  
6 couple of names at different times, but I don't know  
7 too much about that.  
8 Mr. Jones could tell you all about those accounts.  
9 What checks I got I endorsed over to him or else I  
10 might have cashed them when some of the investigators  
11 were going some place out of town in a hurry and  
12 couldn't wait; but all of that is accounted for on  
13 the expense sheets, I am sure.  
14 Q I find that a little odd, Mr. Ivon, and I ask you  
15 this question: Why did you not make these checks  
16 payable to these people individually for their  
17 expenses instead of cashing the checks first and  
18 giving them the cash and then referring the matter to  
19 Mr. Jones, the bookkeeper?  
20 A There were times when it was necessary to pay the  
21 money direct to the investigators, and the records  
22 will bear that out, that they were paid direct to the  
23 investigators.  
24 Q What would you do when you would give the investi-  
25 gator this money direct; would you give him a round

1 figure, say two or three hundred dollars?

2 A Well, it all depended on where they were going.

3 BY THE COURT:

4 Q When they would come back, would they refund  
5 what was left, or keep it all?

6 A No, sir, they would refund the balance that was left,  
7 and they would fill out an expense sheet.

8 Q The books would show that?

9 A Yes, sir.

10 THE COURT: Allright; go ahead.

11 BY MR. WEGMANN:

12 Q I show you a check drawn against the J. G. Safi  
13 account, and ask you, did you have to seek permission  
14 or authority from Mr. Rault or Mr. Garrison or Mr.  
15 Shilstone for that?

16 A I don't think I ever spoke to Mr. Rault or Mr. Shilstone  
17 about the account.

18 Q How about Mr. Robertson?

19 A No.

20 Q About the fines and fees account, were you authorized  
21 to draw checks against that account?

22 A No, sir.

23 Q You say Mr. Jones would have all the records on these  
24 transactions?

25 A Yes, sir, expense sheets, and so forth.

1 MR. WEGMANN: Your Honor, I would like at this 18  
2 time to terminate this witness' interrogation and reserve  
3 the right to recall him to the stand after we have had an  
4 opportunity to interrogate Mr. Jones and to have examined  
5 the expense sheets which the witness has been referring to.  
6 I believe that's in the interest of saving time.

7 THE COURT: I think everybody is in favor of that.

8 MR. VOLZ: We are in favor of it.

9 THE COURT: All right. You may be excused.

10 MR. VOLZ: I would like to ask him a couple of questions.  
11 Your Honor.

12 MR. WEGMANN: We haven't finished with him yet. I  
13 don't think that would be proper.

14 THE COURT: I think that's right. They are going to  
15 recall him after Mr. Jones testifies. I don't think you  
16 should question him until they finish their direct examina-  
17 tion.

18 MR. VOLZ: All right. Thank you, sir.

19 THE COURT: I think we will stop now. We will resume  
20 tomorrow at 11:00 o'clock. I have other matters at 10:00  
21 o'clock. Court will stand recessed.

22 (Court recessed for the day)

23 =====  
24  
25

January 27, 1971

19

1 LOUIS W. IVON, having previously been called and  
2 testified, was recalled to the witness stand and  
3 testified further as follows:

4 FURTHER DIRECT EXAMINATION  
5 BY MR. WE MANN:

6 Q Mr. Ivon, yesterday you described the manner in  
7 which Mr. Shaw was escorted from the District Attorney's  
8 office to the Central Lockup. You also stated, as I  
9 recall, that you had been with the District Attorney's  
10 office for a number of years.  
11 Isn't it a fact that in the District Attorney's office  
12 at Tulane and Broad, there is an elevator within the  
13 confines of Mr. Garrison's office, which might be  
14 termed a private elevator, which opens into his office  
15 only and which descends into the basement of the building?  
16 Is that not correct?

17 A That's right.

18 Q And is that not a rather sizable elevator? In compari-  
19 son, is that elevator not larger than the elevator  
20 which you used in this building to come from the first  
21 to the fourth floor?

22 A No. It's about the same size.

23 Q About the same size?

24 A Yes, sir.  
25

1 Q Under the circumstances, can you tell me why 20  
2 that elevator was not used to escort Mr. Shaw and  
3 yourself to the ground floor of the building rather  
4 than to use the public elevator on the second floor  
5 of the building?

6 A I can't give you any reason.

7 Q Did anyone instruct you to use the public elevator  
8 rather than the private elevator?

9 A No.

10 Q I asked you yesterday if any of the offices in the  
11 District Attorney's office were bugged or if they  
12 were equipped with electronic equipment to transcribe  
13 unbeknownst to the accused being interrogated, the  
14 conversation which took place, and I believe you said  
15 not to your knowledge; is that right?

16 A That's right. You asked me if they were bugged,  
17 and I said not to my knowledge.

18 Q That's correct, but now, Mr. Ivon, can you be a little  
19 more specific with me and tell me whether or not you  
20 had ever had bugging equipment, transcribing equipment,  
21 hidden in the office, or offices, that you used in  
22 Garrison's office?

23 MR. VOLZ: I object to that question, Your Honor. He  
24 has already answered that. He asked him about the Clay  
25 Shaw case, and now he's going far afield, and I don't

1 see what relevancy that could have to this matter  
2 before the Court.

3 THE COURT: Overruled.

4 A (by the witness) In my office at times I have set  
5 up a recorder with a mike, yes.

6 BY MR. WEGMANN:

7 Q Hidden or visible to the accused?

8 A There were times when it was hidden, and there were  
9 times when it was visible.

10 Q When you interrogated Clay Shaw on the afternoon and  
11 evening of March 1, 1967, was there a microphone in your  
12 office?

13 A No, and this was not in my office. It was in the  
14 front office by the complaint desk.

15 Q It was in the front office by the complaint desk?

16 A That's right.

17 Q Is that where you interrogated Mr. Shaw?

18 A Yes, sir. That's the outer office, by the complaint  
19 desk.

20 Q And that's where you interrogated Mr. Shaw?

21 A Yes, sir.

22 Q Is that where the bugging microphone was?

23 A No. There was no microphone there at all. I said  
24 there were other times when I had a microphone in my  
25 office, which is in the rear. At no time was a bug

1 put in there, in the complaint room, where Mr.  
2 Shaw was.

3 Q Is there ever an occasion, to your knowledge, when  
4 bugging equipment is used in the complaint room?

5 A Not that I know anything about. If there has been,  
6 I don't know about it.

7 BY THE COURT:

8 Q Well, the complaint desk is a public room where  
9 police officers come in and make complaints, isn't it?

10 A Yes, sir. It's a big office, Judge.

11 THE COURT: All right.

12 BY MR. WEGMANN:

13 Q When you say the complaint room, Mr. Ivon, you mean  
14 a certain room in Garrison's office where you interro-  
15 gatepeople who have been subpoenaed or called in  
16 for questioning, do you not?

17 A Yes, sir, because it's a big room.

18 Q And that's where you interrogated Mr. Shaw?

19 A Yes, sir.

20 Q And is that the room that has the mirror through  
21 which a representative of Life magazine photographed  
22 Mr. Shaw unbeknownst to him? Is that not true?

23 A That's true.

24 Q Isn't it also true that you paraded other people up  
25 to this two-way mirror whom you sought to have identify

1 Mr. Shaw?

2 A No, that's not true. I was in the room with Mr.  
3 Shaw.

4 Q All right, so you didn't do that. Did you have other  
5 members of the District Attorney's office bring people  
6 to the door to look at Mr. Shaw?

7 A I don't know if that was done; I don't know.

8 Q You didn't see anyone representing Garrison's office  
9 bring anyone to that door or two-way mirror to look  
10 through to identify Mr. Shaw?

11 A No, Mr. Wegmann; I was in the room with Mr. Shaw.

12 BY THE COURT:

13 Q What day was it that the Life magazine photographer  
14 photographed him through the mirror?

15 A I believe that was the day that he was arrested,  
16 Your Honor.

17 Q How do you know that the Life magazine man took the  
18 picture if you were with Mr. Shaw?

19 A I believe it was done then. I heard it was.

20 BY MR. WEGMANN:

21 Q Was Mr. Shaw represented by counsel?

22 A No, I don't believe any attorneys were there yet. We  
23 were waiting for their arrival, in fact.

24 MR. WEGMANN: I tender the witness.

25 C R O S S E X A M I N A T I O N

1 BY MR. VOLZ:

2 Q Mr. Ivon, on the day that Mr. Shaw was arrested,  
3 was he given an opportunity to use a phone?

4 A Yes, sir, he was.

5 Q Was he given an opportunity to call an attorney?

6 A Yes, he was.

7 Q In fact, didn't he call two attorneys?

8 A He made several phone calls.

9 Q Was he limited to the number of phone calls he could  
10 make up there?

11 A No, he was not.

12 Q Did you give Mr. Shaw an opportunity to take a  
13 polygraph?

14 A Yes, sir.

15 Q Did he take one?

16 A No.

17 Q Now, getting to the elevator, how big did you say  
18 the elevator was?

19 A Well, I would say -- the one you are speaking of,  
20 it goes from the basement and stops at one point, in  
21 Mr. Garrison's office. Actually, I would say it's about  
22 twice the size of the one in this building.

23 BY THE COURT:

24 Q I thought you said it was about the same size?

25 A The one in Mr. Garrison's office, the private one.

1 I'm talking about the one in the hallway; it's  
2 larger.

3 THE COURT: All right.

4 BY MR. VOLZ:

5 Q I was talking about the one in Mr. Garrison's office.

6 A Oh, that's about the size of this one.

7 Q The one in this building?

8 A Yes, sir.

9 Q Have you ever used that elevator to transport  
10 prisoners from the D.A.'s office to the Central  
11 Lockup?

12 A No, sir.

13 Q In fact, is that elevator used by anyone but the  
14 District Attorney?

15 A No.

16 Q I mean as a general rule?

17 A No. I think one judge used it one time, Judge Frank  
18 Shea, to get to his courtroom.

19 BY THE COURT:

20 Q Do you mean no one is allowed in that elevator except  
21 the District Attorney?

22 A That's right, sir.

23 THE COURT: All right; go ahead.

24 BY MR. VOLZ:

25 Q Mr. Ivon, what was the reason for using the public

1 elevator rather than Mr. Garrison's elevator?

2 A It was larger, and we had a crowd -- police officers  
3 and some assistants were there.

4 Q Why did you have a crowd of police officers?

5 A For security reasons.

6 Q Whose security?

7 A Mr. Shaw's.

8 BY THE COURT:

9 Q Security from whom?

10 A Basically, there was a crowd of news media up there  
11 and with cameras, and they were doing a lot of pushing,  
12 trying to get interviews no doubt.

13 BY MR. VOLZ:

14 Q Had Mr. Wegmann asked you for security?

15 A No, he had not.

16 BY THE COURT:

17 Q Let me ask you this: These people in the hall were  
18 mostly news media, and I saw this on television, and  
19 Mr. Shaw was being virtually pushed through the crowd.  
20 How did so many news media get to that point on such  
21 quick notice?

22 A I don't know.

23 Q You don't know that they were called?

24 A No.

25 Q You don't have any idea how that happened?

1 A No, sir.

2 Q Well, there was a great number; there was a crowd  
3 of them, as you described, but you did not clear a  
4 way for Mr. Shaw.

5 A Yes, sir, I did clear a way, and I had a police  
6 officer on both sides of him.

7 Q Well, I saw it on television, as a lot of other people  
8 no doubt did, and it didn't appear that anybody was  
9 clearing a way for him.

10 A We had to get not only Shaw through the crowd, but  
11 also his attorneys, but I was right alongside Shaw  
12 myself.

13 THE COURT: All right.

14 BY MR. VOLZ:

15 Q Mr. Ivon, what is the Police Department policy relative  
16 to the handcuffing of prisoners?

17 A We have a procedure that all police officers follow  
18 when they are transporting prisoners. Their prisoners  
19 are to be handcuffed.

20 Q Is it not a Police Department rule that any time  
21 anyone is arrested, they must be handcuffed?

22 A Well, I don't know if it's a rule, but those are  
23 the instructions at the Police Academy.

24 Q That is proper police procedure?

25 A Yes, sir.

1 Q -- to handcuff prisoners when they are being  
2 transferred?

3 A Yes, sir.

4 Q Did Mr. Shaw indicate that he was in any discomfort  
5 because of the handcuffs?

6 A No, he did not.

7 Q Did his attorney?

8 A No, he did not.

9 Q Did his attorney protest at the time you were  
10 handcuffing him, Mr. Shaw?

11 A His attorney did not speak to me. I believe the  
12 first time I spoke to Mr. Wegmann was outside of this  
13 courtroom a little while ago. He didn't speak to me  
14 that day at all.

15 BY THE COURT:

16 Q Who did he speak to in your presence?

17 A Mr. Wegmann?

18 Q Yes.

19 A I don't know if he spoke to anybody. I spoke to Mr.  
20 Panseca that day, but he was the only one.

21 BY MR. VOLZ:

22 Q Did Mr. Shaw ask you not to put handcuffs on him or  
23 anything of that nature?

24 A No.

25 BY THE COURT:

1 Q Did his attorneys indicate that they were not  
2 satisfied with the security precautions?

3 A No.

4 BY MR. VOLZ:

5 Q Did anyone make any comment to you at all regarding  
6 Mr. Shaw?

7 A No, none.

8 BY THE COURT:

9 Q If Mr. Shaw had asked you to take the handcuffs off,  
10 would you have done so?

11 A No, sir.

12 THE COURT: Then it would have made no difference  
13 whether he asked or not. All right; go ahead.

14 MR. VOLZ: There has been some inference, Your Honor,  
15 that they were asked, and I was just trying to clear that  
16 up for the record.

17 THE COURT: Well, I think it's clear enough.

18 MR. VOLZ: We have no further questions.

19 R E D I R E C T E X A M I N A T I O N

20 BY MR. WEGMANN:

21 Q Mr. Ivon, with reference to clearing that hallway,  
22 you did not prior to taking Mr. Shaw out of Garrison's  
23 office send deputies or representatives of the District  
24 Attorney's office or the police to clear the hall of all  
25 news media, did you?

1 A No, I did not.

30

2 Q When you said you cleared the hall for Mr. Shaw,  
3 what did you mean? Did you mean that you did your  
4 level best to clear a path or make a wedge through  
5 the mob on the way to the elevator?

6 A I made a path for him.

7 Q That's what I mean. You didn't clear the hall; you  
8 made a path for him, right?

9 A Right.

10 Q Now, Mr. Volz asked you if you had requested of Mr.  
11 Shaw that he take a polygraph test, and your answer  
12 was yes. Did Mr. Shaw refuse to take a polygraph  
13 test?

14 A Yes. He said he would like to consult with his  
15 attorneys first.

16 Q He said he would like to consult with his attorneys?

17 A Yes.

18 Q Isn't it a fact that Mr. Panseca told you and perhaps  
19 Mr. Sciambra, if he was still there, or whatever  
20 other representative of the District Attorney's office  
21 was there, that Mr. Shaw was quite willing to take  
22 a polygraph test if he could first see the questions  
23 in advance, and two, on the condition that the results  
24 would not be used in a court of law, and that he be  
25 given 24 hours' rest before he took such a test?

1 A No, Mr. Panseca did not tell me that.

2 Q Who did tell you that?

3 A Nobody. This is the first I'm hearing of that.

4 Q Was Mr. Sciambra with you the entire time that you  
5 were interrogating Mr. Shaw?

6 A No.

7 Q Who interrogated Mr. Shaw besides you and Mr.  
8 Sciambra -- anyone else?

9 A As far as I can remember, I think it was only him and  
10 I, but there may have been others. I don't know.

11 Q Who did Mr. Panseca talk to in that office besides  
12 yourself and Mr. Sciambra, if you know?

13 A I don't know.

14 BY THE COURT:

15 Q Did you question him before the arrest?

16 A Yes, sir.

17 Q Why did you question him when you knew you were  
18 going to arrest him anyway?

19 A I really didn't know when he was going to be arrested,  
20 or if he was. We were instructed to arrest him by  
21 Mr. Garrison.

22 Q When was that?

23 A A couple of hours after he was in the District Attor-  
24 ney's office.

25 Q Are you superior to an assistant District Attorney?

1 A No, I am not.

2 Q But they did have to come to you to get money for  
3 these trips, didn't they?

4 A Yes, sir.

5 Q Why was that?

6 A Well, because I was authorized.

7 Q But they outranked you?

8 A Well, I was authorized to sign checks and pull the  
9 expense vouchers whenever they got an assignment.

10 THE COURT: Any more questions?

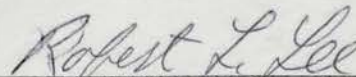
11 MR. WEGMANN: I have no further questions.

12 THE COURT: You may be excused.

13 (Witness excused from the witness stand)  
-----

14 C E R T I F I C A T E

15 I do hereby certify that the above and foregoing is  
16 a true and correct transcript of the testimony of  
17 LOUIS W. IVON, taken in the above numbered and entitled  
18 cause on January 26 and 27, 1971, to the best of my ability  
19 and understanding.

20 

21 Robert L. Lee  
22 Official Reporter  
23 U.S. District Court  
24  
25

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA  
NEW ORLEANS DIVISION

CLAY L. SHAW

versus

JIM GARRISON Individually,  
and as District Attorney for  
the Parish of Orleans,  
State of Louisiana, and  
JAMES L. ALCOCK Individually,  
and as Executive Assistant  
District Attorney for the  
Parish of Orleans, State  
of Louisiana, and  
CHARLES R. WARD Individually,  
and as Assistant District  
Attorney for the Parish of  
Orleans, State of Louisiana

CIVIL ACTION  
NO. 68-1063

SECTION "B"

TESTIMONY OF ANDREW J. SCIAMBRA,  
taken by Plaintiff commencing at 9:45  
o'clock a.m., taken at Room 2106 National  
American Bank Building, New Orleans,  
Louisiana on Thursday, June 6, 1968.

Dietrich & Pickett, Inc.

*Stenotypists*

1123 NATIONAL BANK OF COMMERCE BUILDING  
NEW ORLEANS, LOUISIANA 70112 • 522-3111

1 APPEARANCES: 2

2 For Andrew J. Sciambra Individually  
3 and the Office of the District Attorney:

4 JAMES L. ALCOCK, Esq.

5 and

6 NUMA V. BERTEL, JR., Esq.

7 For Clay Shaw:

8 WILLIAM J. WEGMANN, Esq.

9 EDWARD F. WEGMANN, Esq.

and

10 F. IRVIN DYMOND

11 B. L. PICKETT

DEPUTY OFFICIAL COURT REPORTER

12 ...ooo....

13  
14 S T I P U L A T I O N

15 IT IS STIPULATED BY AND BETWEEN  
16 COUNSEL for Clay Shaw and Counsel representing  
17 Jim Garrison, et als. that the deposition of  
18 Mr. Andrew J. Sciambra is being taken pursuant to  
19 notice before B. L. Pickett, Deputy Official  
20 Court Reporter.

21 THAT the deposition is being taken  
22 under the Federal Rules and that all formalities  
23 including those of signing, sealing, certifying  
24 and filing are to be strictly adhered to.

25 THAT Mr. B. L. Pickett is not a party

1 to or in any wise interested in the outcome of said 3  
2 litigation.

3 ...oOo...

4 ANDREW J. SCIAMBRA,  
5 after having been first duly sworn by me, was  
6 examined and testified as follows:

7 EXAMINATION

8 BY MR. WILLIAM WEGMANN:

9 Q Will you tell us your name and present address.

10 A Andrew J. Sciambra, 3321 Jackson Boulevard,  
11 Chalmette.

12 Q You are a practicing attorney, Mr. Sciambra?

13 A Yes, I am an Assistant District Attorney for  
14 Orleans Parish.

15 Q And you are presently an Assistant District  
16 Attorney?

17 A Yes.

18 Q How long have you been an Assistant District  
19 Attorney?

20 A Since May of 1966.

21 Q And you are licensed to practice in the courts  
22 of the State of Louisiana?

23 A Correct.

24 Q Have you ever been admitted to practice before  
25 the Federal Court for the Eastern District

1 of Louisiana? 4

2 A No, I haven't.

3 Q Where did you finish school?

4 A Loyola University.

5 Q Are you presently represented by an attorney  
6 here today?

7 A Yes, James Alcock.

8 Q Do you have a copy of D-1, which is a letter  
9 which was written by Mr. Garrison on  
10 June 4, 1968 to members of his staff?

11 A I was presented a copy. I don't have it with  
12 me.

13 Q Are you familiar with its contents?

14 A Yes, I am.

15 Q Do you consider that you are bound by it?

16 MR. ALCOCK:

17 At this time, at this juncture let me say  
18 I will instruct Mr. Sciambra not to  
19 answer questions which I feel concern  
20 the evidence against Clay L. Shaw,  
21 the preparation of the case of the  
22 State of Louisiana versus Clay L.  
23 Shaw based upon that letter just  
24 mentioned by counsel, which was  
25 marked yesterday, identified Iven D-1.

5  
Additionally, the application for bill of particulars, the prayer for over, two supplemental applications for bill of particulars, a second supplemental application for bill of particulars, all filed on behalf of Clay L. Shaw in the Criminal District Court for the Parish of Orleans, Section C, in Case No. 198-059, the State's answer to these pleadings, The Court's ruling upon these pleadings.

Additionally, I cite the following Federal cases: Campbell v. Eastland, 307 Fed. 2d 478; Cert. denied 371 U.S. 955, 835 Supreme Court 502, 9 Lawyer Edition 2d 502.

The case of the United States v.  
Bridges, 86 Fed. Suppl. 931.

Case of Penn v. Automobile  
Insurance Company And Others, 27 Fed.  
Suppl. 336.

Case of the United States v.  
Linen Supply Institute, 18 Fed.  
Report Decisions 452.

1 And, lastly, the case of Zara 6  
2 Contracting Company v. The State of  
3 N.Y., at 22A.D., 2d 415, and 256  
4 N.Y. Suppl. 2d 93.

5 BY MR. WILLIAM WEGMANN:

6 Q I will ask you the question again, Mr. Sciambra,  
7 do you consider yourself bound by the  
8 Garrison letter of June 4, 1968?

9 A Same objection, same reasons.

10 THE WITNESS:

11 Right, Jim?

12 MR. DYMOND:

13 That witness doesn't make objections.

14 BY MR. WILLIAM WEGMANN:

15 Q Do I understand you are refusing to answer the  
16 question?

17 MR. ALCOCK:

18 You can answer on all three of them.

19 THE WITNESS:

20 Would you repeat that, please.

21 MR. WILLIAM WEGMANN:

22 Would you read that back, please.

23 THE REPORTER:

24 Question: "I will ask you the question  
25 again, Mr. Sciambra, do you consider

1                   yourself bound by the Garrison  
2                   letter of June 4, 1968?"

7

3           **THE WITNESS:**

4                   I respectfully refuse to answer that  
5                   question, stating the grounds that  
6                   Mr. Alcock has previously stated.

7           **BY MR. WILLIAM WEGMANN:**

8           **Q**     Have you participated in the assassination  
9                   probe in the death of John F. Kennedy?

10          **A**     Have I participated in the probe?

11          **Q**     Yes.

12          **A**     Yes, I have.

13          **Q**     Do you draw any distinction between the  
14                   assassination probe into the death of  
15                   John F. Kennedy on November 22, 1963 and  
16                   the case of the State of Louisiana versus  
17                   Clay L. Shaw?

18          **MR. ALCOCK:**

19                   Same objection. I am instructing the  
20                   witness not to answer this question  
21                   upon the grounds that I have pre-  
22                   viously cited.

23          **MR. DYMOND:**

24                   We will ask that the record show no  
25                   response after the objection by

1 Counsel.

8

2 MR. EDWARD WEGMANN:

3 And do that in each instance if he refuses  
4 to answer the question.

5 THE WITNESS:

6 (No Response.)

7 BY MR. WILLIAM WEGMANN:

8 Q Do you consider the Warren Commission Report  
9 and the probe of the District Attorney's  
10 Office into the Warren Commission Report  
11 and the case of the State of Louisiana  
12 versus Clay L. Shaw as one and the same  
13 investigation?

14 MR. ALCOCK:

15 Same objection, same reasons. Let me  
16 state at this time when I say, "Same  
17 objection, same reasons," I am saying  
18 in effect that I am instructing the  
19 witness not to answer the questions  
20 for the reasons previously given.

21 THE WITNESS:

22 (No response.)

23 MR. WILLIAM WEGMANN:

24 And the witness is remaining mute on his  
25 instructions.

1 BY MR. WILLIAM WEGMANN:

9

2 Q To what extent have you participated in the  
3 assassination probe of Jim Garrison?

4 MR. ALCOCK:

5 Same objection, same reasons.

6 THE WITNESS:

7 (No Response.)

8 BY MR. WILLIAM WEGMANN:

9 Q How long have you been assigned to the assassi-  
10 nation probe of Jim Garrison?

11 MR. ALCOCK:

12 Same objection, same reasons.

13 THE WITNESS:

14 (No Response.)

15 BY MR. WILLIAM WEGMANN:

16 Q What date did you start working on the Shaw  
17 case?

18 MR. ALCOCK:

19 Same objection, same reasons.

20 THE WITNESS:

21 (No Response.)

22 BY MR. WEGMANN:

23 Q Are you specifically assigned to the Shaw case?

24 MR. ALCOCK:

25 Same objection, same reasons.

1 THE WITNESS:

2 (No Response.)

3 BY MR. WILLIAM WEGMANN:

4 Q Do you know Perry Raymond Russo?

5 MR. ALCOCK:

6 Same objection, same reasons.

7 THE WITNESS:

8 (No Response.)

9 BY MR. WILLIAM WEGMANN:

10 Q Do you know Perry Raymond Russo's present  
11 address?

12 MR. ALCOCK:

13 Same objection, same reasons.

14 THE WITNESS:

15 (No Response.)

16 BY MR. WILLIAM WEGMANN:

17 Q Would you give me Perry Raymond Russo's  
18 present address?

19 MR. ALCOCK:

20 Same objection, same reasons.

21 THE WITNESS:

22 (No Response.)

23 BY MR. WILLIAM WEGMANN:

24 Q Do you know Perry Raymond Russo's telephone  
25 number?

1 MR. ALCOCK:

2 Same objection; same reasons.

3 THE WITNESS:

4 (No Response.)

5 BY MR. WEGMANN:

6 Q Will you give me Perry Raymond Russo's present  
7 telephone number?

8 MR. ALCOCK:

9 Same objection; same reasons.

10 A (No Response.)

11 BY MR. WILLIAM WEGMANN:

12 Q Do you know if Perry Raymond Russo is married?

13 MR. ALCOCK:

14 Same objection; same reasons.

15 A (No Response.)

16 BY MR. WILLIAM WEGMANN:

17 Q Do you know what Perry Raymond Russo is doing  
18 for a living at the present time?

19 MR. ALCOCK:

20 Same objection; same reasons.

21 A (No Response.)

22 BY MR. WILLIAM WEGMANN:

23 Q When was the first time you met Perry Raymond  
24 Russo?

25 MR. ALCOCK:

1 Same objection; same reasons.

12

2 A (No Response.)

3 BY MR. WILLIAM WEGMANN:

4 Q Who introduced you to Perry Raymond Russo?

5 MR. ALCOCK:

6 Same objection; same reasons.

7 A (No Response.)

8 BY MR. WILLIAM WEGMANN:

9 Q Where was Perry Raymond Russo living the first  
10 time you met him?

11 MR. ALCOCK:

12 Same objection; same reasons.

13 A (No Response.)

14 BY MR. WILLIAM WEGMANN:

15 Q Have you spoken to Perry Raymond Russo this  
16 week?

17 MR. ALCOCK:

18 Same objection; same reasons.

19 A (No Response.)

20 BY MR. WILLIAM WEGMANN:

21 Q When was the last time you spoke to Perry  
22 Raymond Russo?

23 MR. ALCOCK:

24 Same objection; same reasons.

25 A (No Response.)

1 BY MR. WILLIAM WEGMANN:

13

2 Q Does Perry Raymond Russo talk to you or report  
3 to you on a regular basis?

4 MR. ALCOCK:

5 Same objection; same reasons.

6 A (No Response.)

7 BY MR. WILLIAM WEGMANN:

8 Q Was Russo under hypnosis when he testified in  
9 the preliminary hearing?

10 MR. ALCOCK:

11 Same objection; same reasons.

12 A (No Response.)

13 BY MR. WILLIAM WEGMANN:

14 Q When was the last time Russo was hypnotized  
15 prior to the preliminary hearing?

16 MR. ALCOCK:

17 Same objection; same reasons.

18 A (No Response.)

19 BY MR. WILLIAM WEGMANN:

20 Q Was Russo ever hypnotized in your presence?

21 MR. ALCOCK:

22 Same objection; same reasons.

23 A (No Response.)

24 BY MR. WILLIAM WEGMANN:

25 Q Did Perry Raymond Russo appear before the Grand

1 Jury of Judge Baggett which indicted Shaw? 14  
2 MR. ALCOCK:  
3 Same objection; same reasons.  
4 A (No Response.)  
5 BY MR. WILLIAM WEGMANN:  
6 Q What other witnesses, to your knowledge,  
7 appeared before the Grand Jury when Shaw  
8 was indicted?  
9 MR. ALCOCK:  
10 Same objection; same reasons.  
11 A (No Response.)  
12 BY MR. WILLIAM WEGMANN:  
13 Q Were you present with the Grand Jury when Shaw  
14 was indicted?  
15 MR. ALCOCK:  
16 Same objection; same reasons.  
17 A (No Response.)  
18 BY MR. WILLIAM WEGMANN:  
19 Q Give the names and addresses of any witnesses whom  
20 you know who appeared before the Grand  
21 Jury at the time that Shaw was indicted.  
22 MR. ALCOCK:  
23 Same objection; same reasons.  
24 A (No Response.)  
25 BY MR. WILLIAM WEGMANN:

1 Q Mr. Sciambra, do you know -- do you have the 15  
2 intention to answer any questions which  
3 are put to you in relation to the case of  
4 Clay L. Shaw versus Jim Garrison, James  
5 Alcock and Charles R. Ward which is pres-  
6 ently pending in the Federal Court for the  
7 Eastern District of Louisiana?

8 MR. ALCOCK:

9 Mr. Sciambra will be instructed by me not  
10 to answer any questions which relate  
11 to the case of the State of Louisiana  
12 versus Clay L. Shaw and the investi-  
13 gation in connection with that case.

14 BY MR. WILLIAM WEGMANN:

15 Q I ask you again, Mr. Sciambra, do you intend  
16 to answer any questions in connection with  
17 the complaint which has been filed in  
18 Civil Action No. 68-1063, entitled Clay L.  
19 Shaw versus Jim Garrison, James Alcock  
20 and Charles R. Ward?

21 A I will abide by the instructions of Mr. Alcock.

22 Q I ask you again, do you intend to answer any  
23 questions in connection with the action  
24 which is pending of Shaw versus Garrison,  
25 et als.?

1 A As I have already been instructed not to answer, 16  
2 my answer is that I will abide by the  
3 instruction of Mr. Alcock.

4 Q Do I interpret your answer as being no?

5 A You interpret my answer as saying that I will  
6 abide by the instructions of Mr. Alcock.

7 Q Are you abiding by the instructions of Garrison  
8 as well as the instructions of Mr. Alcock?

9 MR. ALCOCK:

10 I have instructed the witness not to  
11 answer for the reasons already writ-  
12 ten, already reported in this record,  
13 they being the letter from  
14 Mr. Garrison, the various pleadings  
15 that you gentlemen filed on behalf  
16 of Clay L. Shaw in the Criminal  
17 District Court for the Parish of  
18 Orleans, and the Federal citations  
19 I have heretofore read into the  
20 record.

21 BY MR. WILLIAM WEGMANN:

22 Q Have you interviewed anyone other than Perry  
23 Raymond Russo?

24 MR. ALCOCK:

25 Same objection; same reasons.

1 A (No Response.) 17  
2 BY MR. WILLIAM WEGMANN:  
3 Q Without giving the names, have you interviewed  
4 anyone other than Perry Raymond Russo?  
5 MR. ALCOCK:  
6 In connection with what?  
7 MR. WILLIAM WEGMANN:  
8 In connection with the Shaw case.  
9 MR. ALCOCK:  
10 Same objection; same reasons.  
11 A (No Response.)  
12 BY MR. WILLIAM WEGMANN:  
13 Q Has your participation in the Shaw case been  
14 limited to Perry Raymond Russo?  
15 MR. ALCOCK:  
16 Same objection; same reasons.  
17 A (No Response.)  
18 BY MR. WILLIAM WEGMANN:  
19 Q Have you experienced fear or fright in witnesses  
20 whom you have interrogated in connection  
21 with the assassination of John F.  
22 Kennedy?  
23 MR. ALCOCK:  
24 Same objection, same reasons.  
25 A (No Response.)

1 BY MR. WILLIAM WEGMANN:

18

2 Q Do you believe that your personal phone at home  
3 is tapped by anyone?

4 MR. ALCOCK:

5 Same objection; same reasons.

6 A (No Response.)

7 BY MR. WILLIAM WEGMANN:

8 Q What was the last question?

9 THE REPORTER:

10 Question: "Do you believe that your  
11 personal phone at home is tapped by  
12 anyone?"

13 MR. WILLIAM WEGMANN:

14 You made the same objection?

15 MR. ALCOCK:

16 Yes.

17 BY MR. WILLIAM WEGMANN:

18 Q Have you participated in the tapping or do you  
19 know of the tapping of anyone's phone  
20 who participates in the investigation of  
21 Clay L. Shaw?

22 MR. ALCOCK:

23 Same objection; same reasons.

24 A (No Response.)

25 BY MR. WILLIAM WEGMANN:

1 Q Have you participated or do you have knowledge 19  
2 of any wire tapping or eavesdropping in  
3 the case of the State of Louisiana versus  
4 Clay L. Shaw?

5 MR. ALCOCK:

6 Same objection; same reasons.

7 A (No Response.)

8 BY MR. WEGMANN:

9 Q When did you first hear Perry Raymond Russo's  
10 name?

11 MR. ALCOCK:

12 Same objection; same reasons.

13 A (No Response.)

14 BY MR. WILLIAM WEGMANN:

15 Q Did you knowingly cause Perry Raymond Russo to  
16 testify falsely before the Grand Jury  
17 which indicted Shaw?

18 MR. ALCOCK:

19 Same objection, same reasons.

20 A (No Response.)

21 BY MR. WILLIAM WEGMANN:

22 Q Did you knowingly cause Perry Raymond Russo  
23 to testify falsely before the Grand Jury,  
24 before the preliminary hearing which was  
25 held in connection with the Shaw case?

1 MR. ALCOCK:

2 Same objection; same reasons.

3 A (No Response.)

4 BY MR. WILLIAM WEGMANN:

5 Q Were you aware that Perry Raymond Russo failed  
6 to pass a lie detector test in connection  
7 with the Shaw case?

8 MR. ALCOCK:

9 Same objection; same reasons.

10 A (No Response.)

11 (Discussion off the record)

12 BY MR. WILLIAM WEGMANN:

13 Q Did you find Perry Raymond Russo's name among  
14 various papers?

15 MR. ALCOCK:

16 Same objection; same reasons.

17 A (No Response.)

18 BY MR. WILLIAM WEGMANN:

19 Q Did you find any evidence in the Ferrie apart-  
20 ment which would indicate to you that he  
21 had any association with Perry Raymond  
22 Russo?

23 MR. ALCOCK:

24 Same objection; same reasons.

25 A (No Response.)

1 BY MR. WILLIAM WEGMANN:

21

2 Q Did Russo first contact you or were you given  
3 Russo's name by a third person?

4 MR. ALCOCK:

5 Same objection; same reasons.

6 A (No Response.)

7 BY MR. WILLIAM WEGMANN:

8 Q When did you first interrogate Russo?

9 MR. ALCOCK:

10 Same objection; same reasons.

11 A (No Response.)

12 BY MR. WILLIAM WEGMANN:

13 Q When did Russo first mention Shaw's name?

14 MR. ALCOCK:

15 Same objection; same reasons.

16 A (No Response.)

17 BY MR. WILLIAM WEGMANN:

18 Q Do you know James Phelan?

19 MR. ALCOCK:

20 Same objection; same reasons.

21 A (No Response.)

22 BY MR. WILLIAM WEGMANN:

23 Q Do you know Jim Garrison?

24 A Yes, I do know Jim Garrison.

25 Q Do you know your Social Security number?

1 A Yes, I do. 22  
2 Q Give it to us, if you would, please.  
3 A 434-44-2714. I just happened to look it up for  
4 this occasion.  
5 Q What is your name?  
6 A Andrew J. Sciambra.  
7 Q What is your position in the District Attorney's  
8 Office?  
9 A I am an Assistant District Attorney.  
10 Q Do you hold any particular title or office or  
11 rank?  
12 A Assistant District Attorney.  
13 MR. WILLIAM WEGMANN:  
14 Let's recess for one second.  
15 (Whereupon a short recess was taken.)  
16 BY MR. WILLIAM WEGMANN:  
17 Q When did you first meet James Phelan?  
18 MR. ALCOCK:  
19 Same objection; same reasons.  
20 A (No Response.)  
21 BY MR. WILLIAM WEGMANN:  
22 Q When -- Who introduced you to James Phelan?  
23 MR. ALCOCK:  
24 Same objection; same reasons.  
25 A (No Response.)

1 BY MR. WILLIAM WEGMANN:

23

2 Q Does Mark Lane have access to the files in the  
3 District Attorney's Office?

4 MR. ALCOCK:

5 Same objection; same reasons.

6 A (No Response.)

7 BY MR. WILLIAM WEGMANN:

8 Q Do you know Mark Lane?

9 MR. ALCOCK:

10 Same objection; same reasons.

11 A (No Response.)

12 BY MR. WILLIAM WEGMANN:

13 Q Do you know Harold Weisburg?

14 MR. ALCOCK:

15 Same objection; same reasons.

16 A (No Response.)

17 BY MR. WILLIAM WEGMANN:

18 Q Does Harold Weisburg have access to the files  
19 in the District Attorney's Office?

20 MR. ALCOCK:

21 Same objection; same reasons.

22 A (No Response.)

23 BY MR. WILLIAM WEGMANN:

24 Q Do you know Epstein?

25 MR. ALCOCK:

Edward Epstein?

MR. WILLIAM WEGMANN:

Edward Epstein.

MR. ALCOCK:

Same objection; same reasons.

A (No Response.)

BY MR. WILLIAM WEGMANN:

Q Does Edward Epstein have access to the files  
in the District Attorney's Office?

MR. ALCOCK:

Same objection; same reasons.

A (No Response.)

BY MR. WILLIAM WEGMANN:

Q Do you know Richard Billings of Life Magazine?

MR. ALCOCK:

Same objection; same reasons.

A (No Response.)

BY MR. WILLIAM WEGMANN:

Q Have you ever met Richard Billings of Life  
Magazine?

MR. ALCOCK:

Same objection; same reasons.

A (No Response.)

BY MR. WILLIAM WEGMANN:

Q Have you ever talked with Richard Billings of

1 Life Magazine?

25

2 MR. ALCOCK:

3 Same objection; same reasons.

4 A (No Response.)

5 BY MR. WILLIAM WEGMANN:

6 Q Have you ever made a bribe offer to any witness  
7 in the Shaw case?

8 MR. ALCOCK:

9 Same objection; same reasons.

10 A (No Response.)

11 BY MR. WILLIAM WEGMANN:

12 Q Have you ever attempted to bribe anyone in the  
13 Shaw case?

14 MR. ALCOCK:

15 Same objection; same reasons.

16 A (No Response.)

17 BY MR. WILLIAM WEGMANN:

18 Q Did you influence the testimony which Russo  
19 gave at the preliminary hearing?

20 MR. ALCOCK:

21 Same objection; same reasons.

22 A (No Response.)

23 BY MR. WILLIAM WEGMANN:

24 Q Did you influence Russo to give the testimony  
25 which he gave before the Grand Jury?

1 MR. ALCOCK:

2 Same objection; same reasons.

3 A (No Response.)

4 BY MR. WILLIAM WEGMANN:

5 Q How many witnesses have you intimidated?

6 MR. ALCOCK:

7 Same objection; same reasons.

8 A (No Response.)

9 BY MR. WILLIAM WEGMANN:

10 Q Have you intimidated witnesses in order to get  
11 them to co-operate in the Shaw case?

12 MR. ALCOCK:

13 Same objection; same reasons.

14 A (No Response.)

15 BY MR. WILLIAM WEGMANN:

16 Q Do you have information which would be useful  
17 to the Defense but which you are keeping to  
18 yourself in order to deprive the Defense  
19 of a fair trial?

20 MR. ALCOCK:

21 Same objection; same reasons.

22 A (No Response.)

23 BY MR. WILLIAM WEGMANN:

24 Q Do you have information which would be useful  
25 to the Defense which you are keeping to

yourself for any purpose?

27

MR. ALCOCK:

Same objection; same reasons.

A (No Response.)

BY MR. WILLIAM WEGMANN:

Q Have you knowingly suppressed or concealed evidence which would be helpful to the Defense?

MR. ALCOCK:

Same objection, same reasons.

A (No Response.)

BY MR. WILLIAM WEGMANN:

Q Have you knowingly concealed or suppressed evidence which would show that Clay Shaw has no connection with the Kennedy assassination probe?

MR. ALCOCK:

Same objection; same reasons.

A (No Response.)

BY MR. WILLIAM WEGMANN:

Q Have you knowingly concealed evidence which would show that Clay Shaw had no connection with David Ferrie?

MR. ALCOCK:

Same objection; same reasons.

1 A (No Response.)

2 BY MR. WILLIAM WEGMANN:

3 Q Have you knowingly concealed or suppressed  
4 evidence which would show that Clay Shaw  
5 had no connection with Lee Harvey Oswald?

6 MR. ALCOCK:

7 Same objection; same reasons.

8 A (No Response.)

9 BY MR. WILLIAM WEGMANN:

10 Q Have you knowingly suppressed evidence which  
11 would show that Perry Russo lied when he  
12 testified before the Grand Jury?

13 MR. ALCOCK:

14 Same objection; same reasons.

15 A (No Response.)

16 BY MR. WILLIAM WEGMANN:

17 Q Have you knowingly suppressed evidence which  
18 would show that Perry Raymond Russo lied  
19 before the preliminary hearing in the  
20 Shaw case?

21 MR. ALCOCK:

22 Same objection; same reasons.

23 A (No Response.)

24 MR. WILLIAM WEGMANN:

25 At this time it is suggested that we

1 terminate the hearing or recess the 29  
2 hearing pending further orders on the  
3 same grounds that we recessed the  
4 hearing in connection with Ivon and  
5 Loisel, and for the further purpose  
6 of going into court and seeking  
7 proper orders to proceed.

8 MR. ALCOCK:

9 You want to take mine now?

10 (Discussion off the record)

11 MR. WILLIAM WEGMANN:

12 At this time, in connection with the  
13 deposition of Mr. Sciambra, we will  
14 introduce the letter of June 4, by  
15 Jim Garrison, addressed to members  
16 of the District Attorney's Office,  
17 which has been previously identified  
18 as Ivon D-1.

19 MR. ALCOCK:

20 We will join in that introduction.

21 MR. WILLIAM WEGMANN:

22 And we now mark same for identification  
23 as Shaw No. 1.

24 (Whereupon, the document offered  
25 by counsel was Marked Shaw No. 1

1 for identification.)

30

2 MR. WILLIAM WEGMANN:

3 And at this time we tender the witness  
4 to Mr. Alcock for examination if he  
5 wishes to conduct any.

6 MR. ALCOCK:

7 No questions.

8 ... Whereupon at the hour of 10:30  
9 o'clock a.m. the taking of the  
10 deposition was recessed. ...  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

WITNESS' CERTIFICATE

31

I, ANDREW J. SCIAMBRA, do hereby  
certify that I have read the foregoing pages 3  
through 30 inclusive and find them to be a true  
and correct transcript of the testimony as given  
by me in the entitled cause, to the best of my  
knowledge and ability.

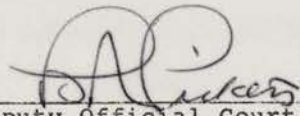
\_\_\_\_\_  
ANDREW J. SCIAMBRA,  
WITNESS

C E R T I F I C A T E

I, the undersigned, a Deputy Official Court Reporter in and for the State of Louisiana, authorized and empowered by law to administer oaths and to take the depositions of witnesses under L.R.S. 13:961.1, as amended, do hereby certify that the above and foregoing deposition is true and correct as taken by me in the above-entitled and -numbered cause(s).

I further certify that I am not of counsel nor related to any of the parties to this cause or in anywise interested in the event thereof.

NEW ORLEANS, LOUISIANA, on the 7 day  
of June 1968.

  
Deputy Official Court Reporter

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA  
NEW ORLEANS DIVISION

CLAY L. SHAW

versus

JIM GARRISON Individually,  
and as District Attorney  
for the Parish of Orleans,  
State of Louisiana, and  
JAMES L. ALCOCK Individually,  
and as Executive Assistant  
District Attorney for the  
Parish of Orleans, State of  
Louisiana, and  
CHARLES R. WARD Individually,  
and as Assistant District  
Attorney for the Parish of  
Orleans, State of Louisiana

CIVIL ACTION  
NO. 68-1063

SECTION "B"

TESTIMONY OF NOEL JOSEPH  
RADA taken at Room 2106 National  
Bank of Commerce Building, New  
Orleans, Louisiana commencing at  
2:30 o'clock p.m. on June 5, 1968.

Dietrich & Pickett, Inc.

*Stenotypists*

1123 NATIONAL BANK OF COMMERCE BUILDING  
NEW ORLEANS, LOUISIANA 70112 • 522-3111

1 APPEARANCES:

2

2 Representing Noel Joseph Rada Individually:

3 HONORABLE WILLIAM P. SCHULER,  
4 ASSISTANT ATTORNEY GENERAL  
5 STATE OF LOUISIANA

5 For the Office of the District Attorney:

6 JAMES L. ALCOCK, Esq.  
7 and  
8 NUMA V. BERTEL, JR., Esq.

8 For Clay L. Shaw

9 EDWARD F. WEGMANN, Esq.  
10 WILLIAM J. WEGMANN, Esq.  
11 F. IRVIN DYMOND, Esq.  
12 and  
13 SALVADORE PANCEZA, Esq.

14 CHARLES A. NEYREY  
15 OFFICIAL COURT REPORTER

16 ...oOo...

17 S T I P U L A T I O N

18 IT IS STIPULATED AND AGREED BY AND  
19 BETWEEN COUNSEL that the deposition of Mr. Noel  
20 Joseph Rada is being taken pursuant to notice, before  
21 Charles A. Neyrey, authorized and empowered under  
22 R.S. 13:961.1 to administer oaths.

23 THAT the deposition is being taken  
24 under the Federal Rules and that all formalities  
25 including those of signing, sealing, certifying and  
filing are to be strictly adhered to.

1                    THAT Charles A. Neyrey is not a                    3  
2 party to or in any wise interested in the outcome  
3 of said litigation.

4                    ...oOo...

5                    NOEL JOSEPH RADA,  
6 after first being duly sworn by me, was examined  
7 and testified as follows:

8                    EXAMINATION

9 BY MR. WILLIAM WEGMANN:

10 Q     Mr. Rada, what is your position with the State  
11           of Louisiana?

12 A     Chairman of the Jury Commission of the Parish  
13           of Orleans.

14 Q     How long have you held that position?

15 A     I have been a member of the board since June 4,  
16           1964.

17 Q     How many members are on the Jury Commission of  
18           the Parish of Orleans?

19 A     Five.

20 Q     And you are the head of that?

21 A     Yes, sir.

22 Q     Does the Jury Commission have any employees  
23           other than the members themselves?

24 A     Yes, sir, we do.

25 Q     Who are those employees?

1 A We have eighteen deputy process servers, one 4  
2 chief process server. We have an adminis-  
3 trative assistant, one confidential  
4 employee and three typists-clerks and one  
5 Secretary to the Board.

6 Q Who is the Administrative Assistant?

7 A Julian Murphy.

8 Q One of the responsibilities, and I want you to  
9 tell me if I am incorrect, that you have  
10 as Jury Commissioner is the drawing of the  
11 Grand Jury for the Parish of Orleans.  
12 Is that correct?

13 A Yes, sir.

14 Q And the last Grand Jury selected by Judge Bagert  
15 you were the Jury Commissioner at that  
16 time?

17 A Yes, sir.

18 Q Who was in charge of the selection of the  
19 75-man list?

20 A I don't remember if Mr. Knowles was present  
21 or not but all the members of the board  
22 should have been there.

23 Q Were you present?

24 A Yes, sir.

25 Q Can you tell us the approximate date that

jury list was made out?

5

A Well, we pulled them for March and September so we had to pull that Grand Jury in February.

Q Of what year is that?

A This past -- that was in 1967, had to be, no.

Q Would it have been in '66 for the '67 term?

A Yes -- No.

Q In '67 then?

A Yes, sir.

Q Now, Mr. Rada, tell me how you went about selecting this list.

A The same way we pull all juries, Mr. Wegmann, petit and grand juries, there is no distinction on that and we just go in the wheel.

Q Tell us how you did it.

A Well, we spin the wheel and then I usually reach in there and grab the names at random and pull them out and then they are written down on a court sheet. We then send that up along with the tabs and after that we haven't anything -- we send that up to the Clerk of Court, Mr. Haggerty's Office. Mr. Haggerty sends the subpoenas

1 down to us or the Judge will order how 6  
2 many people he wants to come in. However,  
3 as I say sometimes they send notices and  
4 sometimes letters. We haven't anything  
5 to do with that and that is up to the  
6 judges.

7 Q As the names are pulled from the wheel somebody  
8 writes them down?

9 A No, sir, they are on tabs of paper.

10 Q Who puts them from the tabs on the sheets?

11 A The ladies in the office place them on the  
12 court sheet.

13 Q Who did it in this particular case?

14 A That I don't know, which one of the ladies  
15 done that.

16 Q Would Murphy have done it?

17 A No, sir.

18 Q Would Murphy have been present when this was  
19 done?

20 A No, sir.

21 Q Do you have the original sheet in your office  
22 that was prepared?

23 A By Judge Bagert?

24 Q The original sheet that was prepared in your  
25 office for Judge Bagert's Grand Jury.

1 A I think we do. 7  
2 Q You think or it is there?  
3 A It should be back there.  
4 Q That should have a date on it?  
5 A Yes, sir.  
6 Q And that would correspond to the date they were  
7 actually pulled?  
8 A Yes, sir.  
9 Q Specifically who was present when it was pulled,  
10 if you remember?  
11 A I imagine Mrs. Bistes, Mr. Hughes, Danny  
12 Hughes --  
13 Q I want you to tell me specifically whom you  
14 positively remember as being present.  
15 A Mr. Wegmann, I can't answer that truthfully.  
16 We are pulling juries every month and if  
17 I were to tell you I know I would probably  
18 be in error.  
19 Q As a practical matter who would have been there?  
20 A Mrs. Bistis.  
21 Q Identify who they are.  
22 A They are all Jury Commission Members.  
23 Mrs. Louis Bistes, Danny Hughes, Phillip  
24 Meyer and myself.  
25 Q Now who actually pulls the names from the

1 wheel?

8

2 A Most of the time I reach my hand in and pull  
3 the names out.

4 Q One at a time?

5 A I grab one sometimes but most of the time I  
6 grab a few.

7 Q Who certified -- does anyone certify this is  
8 a valid list?

9 A Yes, sir, we all sign a court sheet. This is  
10 the court sheet I referred to and each  
11 one of the commissioners present we sign  
12 that.

13 Q This is the court sheet you believe you have  
14 the original of?

15 A Yes, sir.

16 Q I ask you at this time will you produce that  
17 court sheet voluntarily.

18 A I don't see why I shouldn't, but I'm going to  
19 ask Mr. Schuler on that there.

20 MR. SCHULER:

21 We will let you know.

22 MR. WEGMANN:

23 Let the record show that we call for the  
24 production of it on a voluntary  
25 basis.

1 BY MR. WILLIAM WEGMANN:

9

2 Q How many names did you pull?

3 A Judge Bagert, again I'm going to have to say I  
4 think and I'm not sure, Judge Bagert was  
5 75 or 100 or 125. Let me say this, and  
6 I'm not sure I am out of line but judges  
7 might ask for a hundred, they might ask  
8 for 75, some 125, depending on what the  
9 request is for, that is what I have to go  
10 by.

11 Q Did the request from Judge Bagert come in  
12 writing?

13 A Yes, sir.

14 Q Do you have a copy of that letter?

15 A I should have that.

16 MR. WEGMANN:

17 I call for the production of that also.

18 BY MR. WILLIAM WEGMANN:

19 Q Mr. Rada, do you know what date Judge Bagert  
20 selected his grand jury?

21 A No, sir, I don't.

22 Q Do you recall whether or not you issued sub-  
23 poenas to the men, to the 75 persons to  
24 appear before Judge Bagert?

25 A I don't remember if we issued all subpoenas or

1 letters -- letters like I say the judges, 10  
2 what they ask us to do that is all we go  
3 by. Some judges like to have subpoenas  
4 and other judges just subpoenas or letters  
5 so far as me asking or telling you what  
6 he wanted in this particular case I can't.

7 Q Are there records retained in your office of  
8 what Judge Bagert ordered you to do?

9 A Most of the time he will send the notices down  
10 to us. He types his own notices and my  
11 office then processes them.

12 Q The judge's office you say?

13 A Yes, sir, and they send them down to us and our  
14 process server serves them.

15 Q Do you keep the copies of the returns?

16 A Yes, sir.

17 Q How long do you keep them?

18 A Well, I imagine some of those are back there  
19 before I dreamed of going in the office.

20 Q Specifically you should have those records?

21 A Yes, sir, they should.

22 Q Would you make those available to us?

23 MR. SCHULER:

24 The same answer; we will see.

25 MR. WEGMANN:

1                   Let the record show that I call for the  
2                   documents, the subpoenas.

11

3           BY MR. WILLIAM WEGMANN:

4           Q     You have previously testified in a court pro-  
5                   ceeding, and once again correct me if I  
6                   am wrong, that you had never --

7           MR. SCHULER:

8                   Would you have the record please reflect  
9                   that the subpoena issued for today  
10                  does not call for the production of  
11                  any records of the deponent.

12          BY MR. WEGMANN:

13          Q     Mr. Rada, you have testified before I believe  
14                  that up until the time of the hearing in  
15                  the State versus Shaw case in Judge  
16                  Haggerty's court that you had never as a  
17                  jury commissioner counted the number of  
18                  names, the actual number in the wheel, is  
19                  that correct?

20          MR. SCHULER:

21                  When did he testify to that?

22          BY MR. WILLIAM WEGMANN:

23          Q     In the Shaw hearing.

24          A     That I never ever did what?

25          Q     Physically counted the number of names in the

1 wheel.

12

2 A No, sir.

3 Q It is correct that you had not ever physically  
4 counted them?

5 A This came up this morning -- it has no bearing  
6 I guess - but when lawyers ask me a  
7 question about the wheel I have been  
8 twisted two or three times. Some people  
9 refer in the office others in the wheel  
10 and whatever names are in the jury wheel  
11 and other lawyers the name in the cylinder,  
12 you mean the names in the cylinder?

13 Q I am referring to the names in the cylinder.

14 A No, I think I know what you are coming to.  
15 At the time I think it was in the Shaw  
16 case that when Judge Haggerty brought the  
17 wheel upstairs?

18 Q Yes.

19 A And there were 735 approximately.

20 Q Approximately.

21 A And where that came in, as I testified, I  
22 thought there were a certain number of  
23 names in the wheel and I had not counted  
24 them and roughly I thought there were that  
25 many and where it developed that before

1                   that inadvertently a tales jury had  
2                   been pulled and that brought it below  
3                   the required number of 750.

4       Q       Well am I correct in stating, Mr. Rada, and  
5                   I think probably it could be answered yes  
6                   or no, that as of the date of the hearing  
7                   in the Shaw case before Judge Haggerty,  
8                   when Judge Haggerty ordered the wheel,  
9                   the cylinder brought into court and the  
10                  number of names in there counted, that  
11                  you had never physically counted them  
12                  prior to that time, the names in the  
13                  wheel?

14       A       No, sir.

15       Q       Is it not also a fact that you never emptied  
16                   the cylinder and all you do is keep add-  
17                   ing names?

18       A       Yes, sir.

19       Q       Is it not also a fact that you have names in  
20                   the cylinder and you also have names in  
21                   the office that you hold in a reserve?

22       A       Yes, sir.

23       Q       Including the names in the cylinder and the  
24                   number of names in the reserve, could you  
25                   give me an estimate of what the total

number of names could be?

14

MR. SCHULER:

As of what date?

BY MR. WILLIAM WEGMANN:

Q As of today.

A No, sir, I don't think I could and I testified that way this morning, that it is almost impossible.

Q When you draw your names, -- let's say you drew the names today for a jury and how would you determine what number you put back in the wheel?

A To tell you, Mr. Wegmann, since that came up in the Shaw case and there were 735 we decided to stock it and stock it so it wouldn't come up again and what we did is we built the wheel up, even though only 750 names are supposed to be in there, but if we drew a number of names out that we'd still have the number required and I can tell you now that that wheel has approximately 2600 names and if we have a drawing tomorrow and we draw a thousand we put another twelve or fourteen hundred more in the wheel to make sure

the wheel is way over 750 required.

15

Q Let's go to the time you drew the names for  
the Bagert jury.

A Yes, sir.

Q What was your practice at that time in relation  
to taking the names out and putting new  
names in?

A We always tried -- we knew we had to have over  
750 and that the courts if they were going  
to order 1200 we'd drop fourteen or  
fifteen hundred and there was never no  
certain amount of what we dropped in the  
cylinder.

Q Do you keep a list of the names in the wheel?

A No, sir.

Q Were you keeping a list of the names in the  
wheel at the time Judge Bagert drew his  
grand jury?

A No, sir.

Q Doesn't the law require you to keep a list of  
the names in the wheel?

A The only list we keep in the wheel is when  
they come out and we put them on the court  
sheets. We send the tabs with the names,  
the name, address and where he works to

the judge.

16

Q At the time the Bagert jury was drawn you did not know whose name was and was not in there?

A No, sir.

Q There was no list that kept a list of the names.

A Of the names in the wheel?

Q Yes, sir.

A No, sir. It's the same way today.

Q So if a man dies or moves out of the parish --

A Yes, sir.

Q You have no way of determining whether his name is in that wheel or out of the wheel?

A No, sir, unless he receives a subpoena and the process server brings back the disposition of that service.

Q If a man had died the day before you pulled the Bagert jury you would have no way of knowing his name was in the wheel or wasn't?

A No, sir.

Q Now when you rebuilt the wheel after the Haggerty hearing did you make any tabulation

1 as to how many people whose names were in 17

2 the wheel were dead or alive?

3 A Mr. Wegmann, if you could tell me how I would  
4 like to do it, even of people moving out  
5 of the City or moving in.

6 Q The question is have you done it?

7 A No way.

8 Q Your answer is?

9 A I can't do it.

10 Q Your answer is you haven't done it.

11 A My answer is I haven't. I can't do it.

12 Q Now let me ask you this now: Are you aware  
13 of the date, or were you aware of the  
14 date, and can you recall the date upon  
15 which Judge Bagert announced the appoint-  
16 ment of his grand jury?

17 A No, sir. I know it has to be before the first  
18 of the month. I think it is the first  
19 of the month and they run for a period of  
20 six months.

21 Q But I understand now that your records will  
22 reflect first the list that you submitted  
23 to Judge Bagert.

24 A Yes, sir.

25 Q And secondly, it will reflect the date on

1 which you made service of the subpoenas  
2 or letters to the various lists?

18

3 A The letters we don't have any records of that,  
4 Mr. Wegmann.

5 Q The subpoenas?

6 A The subpoenas we would have.

7 Q The list you submitted to Judge Bagert, also  
8 would be dated?

9 A That would be dated. If it was in March, the  
10 day it went up there.

11 Q Let's go back to Judge Bagert's jury and go  
12 back to the number of names in the  
13 cylinder and in the reserve. Could you  
14 make me an estimate of that?

15 A No, sir.

16 Q Was it more than 1,000 or 1,000?

17 A In the cylinder?

18 Q In the cylinder and reserve.

19 A No, sir.

20 Q Was it more than a thousand?

21 A I would say it had to be.

22 Q Was it more than 2,000?

23 A It had to be that. You're talking about the  
24 reserve and the cylinder, everything in  
25 the office that was available?

- 1 Q Yes. Was it more than 3,000?
- 2 A Yes, sir.
- 3 Q More than 4,000?
- 4 A Yes, sir.
- 5 Q More than 5,000?
- 6 A I would say so.
- 7 Q More than 6,000?
- 8 A Well, I would say so.
- 9 Q More than 7,000?
- 10 A I would be willing to take a shot around that.
- 11 Q Was it more than 8,000?
- 12 A That, at that particular time let me say that
- 13 Mr. Wegmann, if you ask me what I had in
- 14 both I couldn't tell you because due to
- 15 the facts people are dying or moving and
- 16 I'm always sending notices out. Almost
- 17 be impossible unless we sat down one time
- 18 and counted the whole thing and kept it
- 19 daily from then on.
- 20 Q Your estimate would be between seven and eight
- 21 thousand names in the cylinder and
- 22 reserve?
- 23 A Yes, sir.
- 24 Q Let's go to the wheel or the cylinder.
- 25 A Yes.

1 Q Would you say there were more than 750 names 20  
2 in the cylinder at the time the Bagert  
3 jury was drawn?  
4 A Yes, sir.  
5 Q Would you say there were a thousand names?  
6 A Yes, sir.  
7 Q More than a thousand names?  
8 A Yes, sir, I would say there was.  
9 Q Would you care to approximate how many names  
10 were in the wheel?  
11 A The only way I possibly could do this -- You  
12 say approximate -- I don't know how many  
13 courts drew and how many jurors they took  
14 then. If they took 1200 like I said  
15 earlier, we might have 1400 names plus the  
16 750 that should have been in there at the  
17 time.  
18 Q Would you say there was a maximum of 2,000?  
19 A I don't want to set no maximum or minimum.  
20 Q Was it more than 2,000?  
21 A More or it could have been less.  
22 Q More than 2500?  
23 A I don't know that.  
24 Q Would it be more than 3,000?  
25 A I don't know. I mean I'm being frank.

1 Q And there weren't any more than 7500?

21

2 A There couldn't have been.

3 Q How many names would that cylinder hold?

4 A That is something that I have been there four  
5 years and I wouldn't even guess.

6 Q Would you have any estimate of how many live  
7 available jurors you have eligible or  
8 had eligible to go in the wheel at the  
9 time the Bagert jury were selected?

10 A No, sir.

11 Q Do you have any idea of how many live eligible  
12 jurors there were in the wheel at the  
13 time it was drawn?

14 A No, sir.

15 Q No idea at all?

16 A No, sir.

17 Q How about women, do you include women in the  
18 selection of juries?

19 A Only unless they volunteer. There is a State  
20 law that says they must volunteer.

21 Q I am correct that the only way you put a woman  
22 in the wheel is that if she fulfills the  
23 requirements of the Louisiana Constitution  
24 and the revised statutes?

25 A That is the only way I could do it, Mr. Wegmann.

1 Q How many were eligible when the Bagert jury 22  
2 was chosen?

3 A I don't have any idea.

4 Q Do you know how many women are in the jury list  
5 now?

6 A No.

7 Q Do you have a list first?

8 A No, sir, we don't keep a list of men, women,  
9 colored or white, we don't keep any list  
10 like that.

11 Q Doesn't your jury subpoena or didn't your jury  
12 subpoena at the time of the applicants  
13 filling it out show whether they were white  
14 or colored?

15 A Yes, sir.

16 Q Is that still being done?

17 A That is still on the subpoena but again I'm  
18 going to ask Mr. Schuler -- Bil 1, on this  
19 here and I know certainly and they always  
20 ask the same thing but when the Supreme  
21 Court came out with that deal they came  
22 out with here with the registration list  
23 that we don't ask them and when they hand  
24 it to us we don't ask them their  
25 nationality or what they are. That is the

1 question I am told I can't and I'm not  
2 going to ask anybody or myself.

23

3 MR. SCHULER:

4 What do you want to ask me for, then?

5 THE WITNESS:

6 Tell me what to do.

7 MR. SCHULER:

8 I can't.

9 THE WITNESS:

10 That is what I mean. It is still on  
11 there, Mr. Wegmann, but I'm not going  
12 to ask a man, because a man might  
13 come in and be a Cuban or Puerto  
14 Rican and I don't know his race and  
15 when he fills it out if he doesn't  
16 put his race on there I'm not going to ask  
17 him.

18 BY MR. WEGMANN:

19 Q Isn't it a fact that your jury commissioner  
20 forms at the time the Bagert jury was  
21 chosen not only called for the designation  
22 of race but designation of sex?

23 A Yes, sir.

24 Q And is it not a fact that it also called for  
25 designation wherein the individual was a

1                   resgistered voter?

24

2           A     Yes, sir.

3           Q     Do you know of any provisions in the law, in  
4                   the Louisiana statutes, or have you ever  
5                   been told of any provision in Louisiana  
6                   statutes that requires you to ask that  
7                   information?

8           A     If I remember right the qualifications in one  
9                   book that he had to be tried and true,  
10                  isn't that right, Bill?

11          MR. SCHULER:

12                I can't testify. If you don't know say  
13                you don't know.

14          THE WITNESS:

15                Put it that way, I don't know. I don't  
16                know but I'm trying to find out  
17                something and I don't want to get in  
18                a bind with nobody.

19          BY MR. WEGMANN:

20          Q     Is there any designation on the slip that is  
21                   in the wheel or that is in the reserve as  
22                   to a person's address, where they live?

23          A     On the tabs there is their name and address  
24                   and the business address. That is all on  
25                   there.

1 Q Does it show what race they belong to?

2 A No, sir.

3 Q Does it show whether they are male or female?

4 A No, sir.

5 Q Other than by name designation.

6 A Yes, sir.

7 Q Now at the time that Judge Bagert's list was  
8 submitted, do you recall the day on which  
9 Judge Bagert actually made the request of  
10 your office?

11 A I think that has got to be made, but the exact  
12 date I don't, but that they have to make  
13 it between the 15th and the 25th.

14 Q I didn't ask you that, I asked you what particu-  
15 lar day.

16 MR. SCHULER:

17 He asked you whether you remembered the  
18 date.

19 THE WITNESS:

20 No, sir.

21 BY MR. WEGMANN:

22 Q Do you recall Judge Bagert coming to you and  
23 asking that the jury be selected, without  
24 giving me a date?

25 A He sends us an order down, Mr. Wegmann.

1 Q I'm not asking you what he does but if at this 26  
2 time you recall at this specific occasion  
3 that Judge Bagert ordered the selection of  
4 this jury.  
5 A No, sir.  
6 Q Did anyone in your office other than you talk  
7 to Judge Bagert about the selection of  
8 this jury?  
9 A That I can't answer.  
10 Q Do you know whether or not he placed the order  
11 with Murphy?  
12 A That I don't know also.  
13 Q What would be the regular routine, Murphy and  
14 no one else?  
15 A Any one of the ladies in the office if Murphy  
16 wasn't there or I wasn't there he'd leave  
17 the order with one of the ladies in the  
18 office.  
19 Q Do you know as a fact as to whether or not he  
20 gave you a written order at that time?  
21 A It had to be written or we wouldn't pull the  
22 jury.  
23 Q It had to be in writing.  
24 A Yes, sir.  
25 Q And that order has to exist?

1 A Yes, sir.

2 Q Who has access to that wheel, the names that  
3 are in the wheel?

4 A Well, the commissioners and my secretary.

5 Q Who is the secretary?

6 A Butler Powerll.

7 Q How about Murphy?

8 A We have the keys locked up.

9 Q Where are the keys kept?

10 A My drawer most of the time.

11 Q Who has access to your drawer?

12 A Me.

13 Q You say they are kept most of the time there  
14 and where are they kept when they're not  
15 in your drawer?

16 A It is to open that cylinder and they're kept  
17 right on the table where we put the names.

18 Q Who has access to them when they are on the  
19 table?

20 A All the commissioners.

21 Q Including Murphy and Powell?

22 A Murphy don't sit at the table.

23 Q What about Butler Powell?

24 A He stands behind sometimes and sometimes he's  
25 out in the front office.

1 Q Have you ever been told what names to pull  
2 from the wheel?

28

3 A No, sir.

4 Q Were you told in this case what names to pull?

5 A No, sir.

6 Q Were you told in advance what names were to be  
7 on the jury list prior to the time the  
8 jury list was to be chosen?

9 A No, sir.

10 Q Were you told what names were to be put in the  
11 wheel prior to the time the jury list was  
12 chosen?

13 A No, sir. You are asking us like if somebody  
14 said to put so and so in the wheel I would  
15 put him in the wheel?

16 Q Yes, sir, that's right.

17 A No, sir.

18 Q Have you any explanation, Mr. Rada, for the  
19 fact that there was such a great number  
20 of members of the American Legion in that  
21 wheel?

22 A Mr. Wegmann, I have no idea, no more than you  
23 have and personally it don't make a damn  
24 bit of difference who goes in the wheel  
25 to me.

1 MR. SCHULER:

2 Of course has that fact been established?

3 MR. WEGMANN:

4 Yes, that fact has been established.

5 I'm trying to establish the fact  
6 they were in the wheel also.

7 MR. SCHULER:

8 When was it established?

9 MR. WEGMANN:

10 It was established in the Haggerty  
11 hearing.

12 MR. SCHULER:

13 I don't know, I'm just asking.

14 MR. EDWARD WEGMANN:

15 It is a discovery deposition anyway.

16 MR. SCHULER:

17 In a discovery deposition you still can't  
18 try to ask a question about a fact  
19 that hasn't yet been established.

20 BY MR. WILLIAM WEGMANN:

21 Q Mr. Rada, are you aware of the fact that there  
22 were a number of American Legion members  
23 on the jury list on the Judge Bagert  
24 jury?

25 A No, sir.

1 Q You were not aware of that fact?

2 A No, sir.

3 Q Have you ever prepared or known to have pre-  
4 pared a jury list of names not in the  
5 jury wheel?

6 A No, sir.

7 Q Would it be possible for this to be done?

8 A To my knowledge, no.

9 Q Why would it not be possible?

10 A I said to my knowledge, no. To my own know-  
11 ledge, no.

12 Q I don't understand your answer, would you  
13 explain what you are answering.

14 A Mr. Wegmann, as far as anybody telling me about  
15 preparing a list I have never received  
16 that in the four years I have been out  
17 there.

18 Q I think you misunderstood my question and  
19 maybe I didn't put it properly but I am  
20 asking you whether or not it is possible  
21 for a jury list to be prepared in any  
22 instance composed of names other than those  
23 who are in the wheel?

24 A No, sir.

25 Q Why is that not possible?

1 A Well, I mean we drop the tabs in there and 31  
2 like you ask about the reserves and we  
3 reach in there and drop the names in the  
4 cylinder and I don't know who is going in  
5 that wheel.  
6 Q As I understood you drop the names in the  
7 cylinder.  
8 A Yes, sir.  
9 Q While all the jury commissioners are there.  
10 A Yes, sir.  
11 Q And I assume that Murphy and Powell are in the  
12 area.  
13 A Sometimes they are and sometimes they're not.  
14 Q As I understand, you reach in and physically  
15 remove the names?  
16 A Yes, sir.  
17 Q And put them on the desk.  
18 A Yes, sir.  
19 Q Who tabulates those names on the list?  
20 A We take the names after the tabs, I call them  
21 tabs, you got them in packs of 25 and in  
22 turn they are turned over to one of the  
23 ladies to type the so-called court sheets  
24 and that is sent on grand juries up to the  
25 judge.

1 Q You talk about ladies, what ladies are you 32  
2 talking about, the ones employed by the  
3 jury commissioner?

4 A Mrs. Alma K. Savarese, Mrs. Althea Vulliatt,  
5 and she is no longer employed there --

6 Q Do you know where she lives?

7 A Yes, sir.

8 Q Would you know as of this moment?

9 A I can get it out of the phone book, I can tell  
10 you that.

11 Mrs. Evelyn Nuccio and Mrs. Emelda  
12 Indovina.

13 Q Now as I understand it then after the names  
14 are put in packettes of 25 the packettes  
15 are given to one of these ladies to type?

16 A Yes, sir.

17 Q Now would anybody check after this list was  
18 made up to insure that the names who were  
19 on the jury list submitted to Judge Bagert  
20 were the same pulled from the wheel, the  
21 cylinder?

22 A We send those up to the Judge. The Judge sends  
23 them back down to us with either subpoenas,  
24 or the tabs and the sheets are sent back  
25 down to us and then we have the original

1 jury commission notices with a card  
2 attached --

33

3 Q No, Mr. Rada, that is not my question. Once  
4 again I don't think I got through to you.  
5 Would anyone check to make sure that the  
6 names typed by the stenographer were the  
7 same as the names pulled from the  
8 cylinder?

9 A They are the same and they're typed and given  
10 to the Judge.

11 Q Now does anyone check that the names pulled  
12 from the cylinder are the same as the  
13 ones typed by the lady?

14 A Like I'm telling you all we can them in packs  
15 of 25 and then they're put on the sheet  
16 by the secretaries and we send that up  
17 there on the grand juries, on the grand  
18 jury we send it up to Bagert or whatever  
19 judge it is.

20 Q I am correct that the last check that is made  
21 as to whether they came out of the wheel  
22 is when the packettes are given to the  
23 secretary?

24 A Yes, sir.

25 Q And if they don't type some of the names that  
you give them nobody knows it?

1 A Like I say, they go to the lady.  
2 Q After you pull the names from the wheel the  
3 secretaries are in complete charge and  
4 the jury commissioners dispense with any  
5 further to do with it?  
6 A I am there all day, sir.  
7 Q You do not check to make sure that the clerks  
8 type the same list as those that came out  
9 of the wheel?  
10 A They type from those tabs, whatever tabs they  
11 receive.  
12 Q You check to see if they are the identical  
13 names that are pulled?  
14 A No, sir, cause plenty of times they got a wrong  
15 name there.  
16 Q What do you do with the tabs after they are  
17 discarded?  
18 A They are not discarded.  
19 Q What do you do with them?  
20 A We send them to the judge.  
21 Q Where do they go?  
22 A They go up with the court sheets.  
23 Q They go with the court sheet?  
24 A Yes, sir.  
25 Q The judge retains those tabs?

- 1 A Yes, and then they are returned down to us.
- 2 Q When they -- When are they returned to you?
- 3 A After the services, after the process servers  
4 come in and fill out how they delivered  
5 the notice and then we check against  
6 them.
- 7 Q Who physically carries the tabs from the  
8 Jury Commission Office to the Judge's  
9 chambers?
- 10 A Murphy will take them up.
- 11 Q Why are the tabs sent to the judge?
- 12 A That is something I don't know.
- 13 Q This is something that was done before you got  
14 there and you've just been doing it?
- 15 A Yes, sir.
- 16 Q The list submitted to the judge is a typewritten  
17 list?
- 18 A Yes, sir.
- 19 Q How many copies are made?
- 20 A I think two or three.
- 21 Q And how many copies does the judge get?
- 22 A One.
- 23 Q What happens to the remaining copies?
- 24 A I keep them in the office for records.
- 25 Q Then you would still have those.

1 A Yes, sir.

2 Q Now, Mr. Rada, do you make any -- Mr. Rada in  
3 making up the list of the people and  
4 this goes back to the time of the Bagert  
5 jury or that time, in deciding who is  
6 going to be a prospective juror, either  
7 in the cylinder or in reserve, what  
8 facilities do you use to get the names,  
9 like say a registration roll?

10 A Registration rolls, City Directory and I'll  
11 make you laugh on this, but once in a  
12 while we get a volunteer.

13 Q Do you make a habit of using membership lists  
14 of any private clubs?

15 A No, sir.

16 Q Do you make it a practice to check organiza-  
17 tions such as the American Legion?

18 A No, sir.

19 Q Or American Veterans of Foreign Wars.

20 A Mr. Wegmann, I make it a policy not to go to  
21 any because I am just asking for more  
22 work.

23 Q Do you know how many members of the New Orleans  
24 Athletic Club were on that jury?

25 A No, sir, I don't.

1 Q If I tell you in excess, assuming in excess  
2 that five members of the New Orleans  
3 Athletic Club were members of Judge  
4 Bagert's Grand Jury, do you have any ex-  
5 planation of how this large number got  
6 on the list?

7 A If you told me 25 I don't know.

8 Q I didn't ask you if you knew but I am saying  
9 assuming there were or it were a fact  
10 that there were five or six members of  
11 the New Orleans Athletic Club --

12 MR. SCHULER:

13 Is it a fact?

14 MR. WEGMANN:

15 Yes.

16 THE WITNESS:

17 I don't know.

18 BY MR. WEGMANN:

19 Q You don't know how they got in?

20 A No, sir, I don't know how many on or anything.

21 Q Now, I'm going to read to you Article 409 of  
22 the Code of Criminal Procedure and which  
23 states and I wish you would listen to it  
24 and tell me whether or not you comply  
25 with the provisions of this article:

commission shall select impartially  
at least seven hundred fifty persons  
having the qualifications to serve  
as jurors, who shall constitute the  
general venire."

And the next paragraph:

"A list of the persons so selected  
shall be prepared and certified by  
the commission as the general venire  
list and shall be kept as part of the  
records of the commission."

Do you keep such a list?

A We have these cards. That is our records.

Q Do you have a prepared general venire list of  
the people in that wheel?

A Of the people in that wheel?

Q Yes.

A We had this card with the original subpoena  
that was sent out and each time it comes  
back we have those put on there.

Q This is a tab?

A No, a white card.

Q Mr. Rada, if I walked in your office right  
now and I would ask you to give me the

1 list of the persons in the general venire 39

2 wheel could you give me such a list?

3 A Of the 2600, approximately 2600 in there?

4 Q Right.

5 A The only way I could do that, Mr. Wegmann, is

6 I'd have to open that wheel and as the  
7 names came out then I could check those  
8 files and come up with the card and the  
9 subpoena showing who those persons had  
10 been in that office.

11 Q That is the only way you could furnish me with  
12 a general venire list spoken of in  
13 Article 409?

14 A Yes.

15 MR. DYMOND:

16 Go now to Article 410.

17 BY MR. WEGMANN:

18 Q All right. I'm going to read to you now  
19 Article 410 of the Code of Criminal  
20 Procedure:

21 "At each commission --" This reads  
22 "revising and supplementing the  
23 general venire."

24 "At each commission meeting to revise  
25 and supplement the general venire,

1 the commission shall examine the  
2 general venire list prepared at the  
3 previous selection of the general  
4 venire, and shall delete therefrom  
5 the names of those persons who:"

6 In paragraph 1 it says:

7 "Have served as civil or criminal  
8 jurors since the previous selection  
9 of the general venire; or"

10 "are known to have died or who have  
11 become disqualified to serve as  
12 jurors since their selection on the  
13 general venire."

14 Do you do that?

15 A We send a notice out and the notices come back  
16 and show that the man is dead or some  
17 reason as he's moved or something like  
18 that and then we take his name and that  
19 tab as I refer to it again and we put that  
20 with that card and the subpoena and take  
21 it out.

22 Q Mr. Rada, the only time that happens is when  
23 the man is chosen to serve and his name  
24 comes out of that cylinder?

25 A Yes.

1 Q You mean by that you do not keep the venire  
2 current as to those that die or become  
3 disqualified?

4 A No, sir. I would be looking in that wheel and  
5 I would know who was in that wheel.

6 MR. SCHULER:

7 That's "those who have known to have  
8 died." Your question was not the  
9 law.

10 MR. WEGMANN:

11 The question will be a matter of judicial  
12 interpretation.

13 BY MR. WEGMANN:

14 Q Mr. Rada, I understand then and am I correct  
15 in stating that you do not periodically  
16 empty the wheel and replace it with new  
17 names of those you know to be current  
18 qualified jurors?

19 A I asked that question once before and again  
20 I'm going to ask Bill something -- I  
21 can't enter that wheel unless I got  
22 permission from somebody, I believe.

23 MR. SCHULER:

24 Answer what you do know.

25 MR. WEGMANN:

1 All we're trying to find out is what you 42  
2 actually do.

3 THE WITNESS:

4 No, sir, I don't.

5 BY MR. WEGMANN:

6 Q Then would it be correct to say that the wheel  
7 as it existed or particularly as it  
8 existed at the time the Bagert jury was  
9 composed, was made up, was chosen, there  
10 are names in there whom you did not know  
11 and who had not been checked as to  
12 whether or not they were qualified or  
13 not qualified to serve as jurors?

14 A Mr. Wegmann, the names wouldn't have been in  
15 the wheel if they hadn't been qualified.

16 Q At the time you became head of the jury  
17 commission did you empty the wheel of all  
18 the names contained in it?

19 A No, sir.

20 Q Has that ever been done during the four years  
21 that you have been the head?

22 A No, sir.

23 Q Is it correct to state that the jury wheel or  
24 cylinder has been added to periodically  
25 people you believe to be qualified as

jurors?

43

A Sure.

Q Is it also correct to state that for reasons of your own you make no periodic check of the qualifications of the people in the wheel?

A When they got the notice they were qualified and then they wouldn't have been put in there if they weren't.

Q Once again, for your own personal reasons --

A I got none.

Q For your own reasons, without stating what they are, you do not periodically check the qualifications of the people in the wheel from time to time?

MR. SCHULER:

If you just don't say you don't.

THE WITNESS:

I don't, then.

BY MR. WEGMANN:

Q Do you take the death notices out of the vital statistics as recorded in the newspapers and then remove from your reserve those who have died?

A That is a part that I don't -- I don't go into

1                   that. I know it is sent back there but  
2                   if it is done I don't know.

3       Q       Do you go in the wheel and remove the names of  
4                   the people that have died?

5       A       No, sir.

6       Q       Actually that would be impossible to do because  
7                   you don't know whose names are in the  
8                   wheel and not in the wheel?

9       A       That is right.

10      Q       There is published in the daily court records  
11                   the removal of people, people who move  
12                   from one location to another and do you  
13                   check that to determine if the people have  
14                   moved or become disqualified who are in  
15                   the wheel?

16      A       We don't get that, Mr. Wegmann.

17      Q       So then you don't do it?

18      A       No, sir.

19      MR. WEGMANN:

20                   That's all the questions I have of

21                   Mr. Rada.

22                   ... At the hour of 3:25 o'clock p.m.

23                   the taking of this deposition was

24                   concluded. ...  
25

## 45

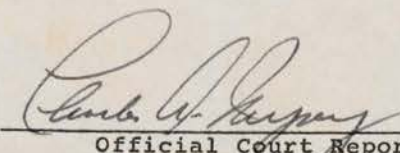
NOEL RADA  
W I T N E S S

C E R T I F I C A T E

I, the undersigned, an Official Court Reporter in and for the State of Louisiana, authorized and empowered by law to administer oaths and to take the depositions of witnesses under L.R.S. 13:961:1, as amended, do hereby certify that the above and foregoing deposition is true and correct as taken by me in the above-entitled and -numbered cause(s).

I further certify that I am not of counsel nor related to any of the parties to this cause or in anywise interested in the event thereof.

NEW ORLEANS, LOUISIANA, on the 7<sup>th</sup> day  
of June 1968.

  
\_\_\_\_\_  
Official Court Reporter

D.A.-

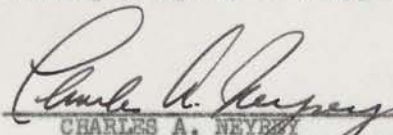
PROCES VERBAL

I, Charles A. Neyrey, Official Court Reporter in and for the State of Louisiana, do hereby certify that the deponent, Noel Joseph Rada, desires to have the following correction inserted as part of the deposition he gave on the 5th., day of June, 1968.

Page 3 line 15 - the following correction:

from "June 4, 1964" to "June 24, 1964"

New Orleans, Louisiana, 9th., day of July, 1968.



CHARLES A. NEYREY  
OFFICIAL COURT REPORTER  
PARISH OF JEFFERSON  
STATE OF LOUISIANA.

**Dietrich & Pickett, Inc.**  
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NEW ORLEANS, LOUISIANA 70112 • 522-3111

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA  
NEW ORLEANS DIVISION

CLAY L. SHAW

versus

JIM GARRISON, Individually,  
and as District Attorney  
for the Parish of Orleans,  
State of Louisiana, and  
JAMES L. ALCOCK, Individually,  
and as Executive Assistant  
District Attorney for the  
Parish of Orleans, State of  
Louisiana, and  
CHARLES R. WARD Individually,  
and as an Assistant District  
Attorney for the Parish of  
Orleans, State of Louisiana.

CIVIL ACTION  
NO. 68-1063

SECTION "B"

TESTIMONY OF LOUIS WILLIAM  
IVON, taken by the Plaintiff,  
pursuant to notice, on the 5th  
day of June, 1968 at the offices  
at Room 2106 National American  
Bank Building, New Orleans, La.

Dietrich & Pickett, Inc.  
*Stenotypists*

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NEW ORLEANS, LOUISIANA 70112 • 522-3111

1 APPEARANCES:

2

2 For Louis William Ivon, Individually  
and the Office of the District Attorney:

3 JAMES L. ALCOCK, Esq.

4 and

5 NUMA V. BERTEL, JR., Esq.

6 For Clay Shaw:

7 EDWARD F. WEGMANN, Esq.  
8 WILLIAM J. WEGMANN, Esq.  
9 F. IRVIN DYMOND, Esq.  
and  
10 SALVADORE PANCEZA, Esq.

11 ...oOo...

12 CHARLES A. NEYREY,  
13 OFFICIAL COURT REPORTER

14 ...oOo...

15 S T I P U L A T I O N

16 IT IS STIPULATED AND AGREED by and  
17  
18 Between Counsel for Clay Shaw and Counsel Represent-  
19 ing Jim Garrison, et als. that the deposition of  
20 Mr. Louis William Ivon is being taken pursuant to  
21 notice before Charles A. Neyrey, authorized and  
22 empowered under R.S. 13:961.1 to administer oaths.

23 THAT the deposition is being taken  
24 under the Federal Rules and that all formalities  
25 including those of signing, sealing, certifying  
and filing are to be strictly adhered to.

1                    THAT MR. CHARLES A. NEYREY is not a    3  
2 party to or in any wise interested in the outcome  
3 of said litigation.

4                    ...ooo...

5                    LOUIS WILLIAM IVON,  
6 after first being duly sworn by me, was examined  
7 and testified as follows:

8                    CROSS-EXAMINATION

9 BY MR. DYMOND:

10 Q    Your name is Louis Ivon?

11 A    Right.

12 Q    What is your present occupation, Mr. Ivon?

13 A    I am assigned to the District Attorney's  
14 Office as Chief Investigator.

15 Q    Actually you are employed by the New Orleans  
16 Police Department, is that correct?

17 A    Right.

18 Q    How long have you been on the force, the  
19 police force?

20 A    Since 1955.

21 Q    Now since having been on the Police Force have  
22 you been subjected to any disciplinary  
23 action by the Superintendent or other  
24 people in authority on the force?

25 A    No.

1 Q Have you ever been suspended? 4

2 A No.

3 (RECESS)

4 BY MR. DYMOND:

5 Q Now, Mr. Ivon, when were you assigned by the  
6 New Orleans Police Department to duty in  
7 the District Attorney's Office?

8 A 1962.

9 Q And have you been assigned to that duty con-  
10 tinuously since 1962 to date?

11 A Yes, sir.

12 Q I take it then you have been working primarily  
13 for the District Attorney during the  
14 entire Kennedy assassination probe and  
15 ever since Clay Shaw was first interro-  
16 gated in connection with the assassination  
17 of Kennedy, is that right?

18 A Yes.

19 Q Now specifically, what are your duties in  
20 connection with your work there at the  
21 District Attorney's Office?

22 A I am the Chief Investigator up in the office.

23 Q You are the Chief Investigator. As Chief  
24 Investigator, what are your duties?

25 A To handle any assignments that are given to me

1 through the District Attorney, Jim  
2 Garrison.

5

3 Q Now when you say "handle them," what do you  
4 mean by that?

5 A I investigate.

6 Q Do you do only investigative work or do you  
7 supervise the work of other investigators?

8 A Supervise the work of other investigators.

9 Q What other investigators do you supervise?

10 MR. ALCOCK:

11 Let me, let me get a clarification. You  
12 mean on the Kennedy case or on his  
13 overall operation of the office?

14 MR. DYMOND:

15 On the Kennedy case and the case against  
16 Clay L. Shaw.

17 MR. ALCOCK:

18 And your question is, who does he  
19 supervise.

20 MR. DYMOND:

21 What other investigators does he supervise.

22 THE WITNESS:

23 All of them.

24 BY MR. DYMOND:

25 Q Who are they?

1 A Lynn Loisel, Kent Simms, Clancy Navarre, Fred 6  
2 Williams, -- I believe that is about the  
3 only ones that worked on the Clay Shaw  
4 investigation.

5 Q Do you have any duties in connection with the  
6 supervision or other authority over  
7 undercover agents?

8 MR. ALCOCK:

9 I don't quite understand that question.  
10 In what connection? What are you  
11 talking about?

12 MR. DYMOND:

13 In connection with the Kennedy assassina-  
14 tion probe and the case against  
15 Clay L. Shaw.

16 MR. ALCOCK:

17 You are going to have to define undercover  
18 agents.

19 MR. DYMOND:

20 You know what undercover agents are,  
21 don't you, Mr. Ivon?

22 MR. ED WEGMANN:

23 Let him answer as best he can.

24 MR. ALCOCK:

25 I am objecting, objecting to the question.

1 MR. ED WEGMANN:

7

2 I think the record will show your objec-  
3 tion.

4 MR. ALCOCK:

5 I am going to instruct him not to answer  
6 that question.

7 MR. ED WEGMANN:

8 Under a discovery deposition he is  
9 obligated to answer the question.

10 MR. ALCOCK:

11 No, he is not.

12 MR. ED WEGMANN:

13 Yes, he is.

14 MR. ALCOCK:

15 I am afraid you are wrong.

16 BY MR. DYMOND:

17 Q Do you know what an undercover agent is?

18 MR. ALCOCK:

19 I have instructed him not to answer the  
20 question on the grounds that you are  
21 attempting to use the liberal dis-  
22 covery rules associated with civil  
23 proceedings to get information which  
24 you are not entitled to get in a  
25 criminal proceeding and as I -- I

1 cite as authority for that the 8  
2 various pleadings that you have  
3 filed in the State Criminal District  
4 Court and more particularly your  
5 application for bill of particulars,  
6 your prayer foroyer, your supple-  
7 mental application for bill of  
8 particulars -- I think there were two  
9 of those -- two supplemental appli-  
10 cations for bill of particulars, your  
11 second supplemental application for  
12 bill of particulars -- I think there  
13 were two of those, two supplemental  
14 applications for bill of particulars,  
15 your second supplemental application  
16 for bill of particulars, the State's  
17 answer to these motions, the Court's  
18 ruling on these motions, and addi-  
19 tionally I cite the cases of  
20 Campbell v. Eastland, 307 Fed. 2d  
21 478; Certioria denied 371 U.S. 955;  
22 83 Supreme Court 502; 9 Lawyers  
23 Edition 2d 502; U.S. v. Bridges  
24 86 Fed. Suppl. 931; Penn v. Automo-  
25 bile Association -- that is

1 Automobile Insurance Company and 9  
2 others, 27 Fed. Suppl. 336; U.S.  
3 v. Linen Supply Institute, 18 Fed.  
4 Rules Decision 452; Zara Contracting  
5 Company v. State of New York, 22 A.D.  
6 2d 415 and 256 N.Y. Suppl. 2d 93.

7 I instruct the witness not to  
8 answer the question.

9 MR. DYMOND:

10 Well, I am going to go on with the line  
11 of questions we intend to have him  
12 answer and if your objection still  
13 applies, just say so.

14 BY MR. DYMOND:

15 Q Do you know what an undercover agent is?

16 A (No Response.)

17 MR. ALCOCK:

18 Same objection, same reasons.

19 BY MR. DYMOND:

20 Q Have you had any undercover agents working on  
21 this case, that is, the case of State  
22 versus Clay L. Shaw?

23 A (No Response.)

24 MR. ALCOCK:

25 Same objection, same reasons and

1 additionally I might at this time 10  
2 file as part of the deposition a  
3 letter given to me directing, by  
4 Jim Garrison, directing members of  
5 his staff not to answer questions  
6 that relate to the case of the State  
7 of Louisiana versus Clay L. Shaw.

8 MR. BERTEL:

9 And you want to attach it and make it --

10 MR. ALCOCK:

11 I want to attach it and make it part of  
12 the deposition.

13 MR. DYMOND:

14 Is there just an original or is there a  
15 copy?

16 MR. ALCOCK:

17 Just an original.

18 (Whereupon, the exhibit consisting  
19 of three pages was marked by the  
20 Reporter as Ivon Deponent-1.)

21 (RECESS)

22 BY MR. DYMOND:

23 Q Mr. Ivon, are you taking the position that you  
24 refuse to answer any questions concerning  
25 the existence of or activities of agents

1 of the District Attorney's Office other 11  
2 than those that you have named as inves-  
3 tigators?

4 MR. ALCOCKE:

5 In connection with what, Irvin?

6 MR. DYMOND:

7 In connection with this deposition.

8 MR. ALCOCK:

9 His position is that I as his attorney  
10 have instructed him not to answer  
11 the question and have cited reasons  
12 into the record.

13 MR. DYMOND:

14 Then I will just take it question for  
15 question then.

16 MR. ED WEGMANN:

17 Are your reasons those which are set  
18 forth in the letter which you have  
19 just filed there?

20 MR. ALCOCK:

21 The reasons are the letter, the citation  
22 of the Federal cases and also the  
23 pleadings that have been filed by  
24 yourselves in the State Criminal  
25 District Court, the answers thereto,

1 and The Court's written reasons for 12  
2 judgment thereon.

3 MR. ED WEGMANN:

4 But you are also telling us that in con-  
5 nection with the taking of this  
6 deposition you are going to abide  
7 by the instructions of Jim Garrison  
8 as set forth in this letter dated  
9 June 4, 1968 which you have just  
10 filed in the record and you are in-  
11 structing the witness to abide by  
12 the instructions that are contained  
13 in that letter?

14 MR. ALCOCK:

15 Right. I am instructing the witness not  
16 to answer any questions relative to  
17 the Clay Shaw investigation for the  
18 simple reason is you people are  
19 using this civil proceeding as a  
20 ruse to get into the facts of this  
21 case which you are not entitled to --  
22 as a ruse to get into the facts of  
23 the criminal case to which you are  
24 not entitled to.

25 BY MR. DYMOND:

1 Q All right. Now, in connection with your 13  
2 duties at the District Attorney's Office,  
3 from whom do you take orders?

4 A The District Attorney, Jim Garrison.

5 Q Is he the only one?

6 A Yes.

7 Q Is it a fact, Mr. Ivon, that David Ferrie was  
8 held in protective custody at the  
9 Fontainebleau Motel for a period of time  
10 prior to his death?

11 A (No Response.)

12 MR. ALCOCK:

13 I am instructing the witness not to answer  
14 the question for the same reasons I  
15 have cited previously.

16 BY MR. DYMOND:

17 Q On or between what dates was he held in pro-  
18 tective custody at the Fontainebleau  
19 Motel?

20 A (No response.)

21 MR. ALCOCK:

22 I am instructing the witness not to answer  
23 the question for the same reasons  
24 cited heretofore.

25 BY MR. DYMOND:

1 Q Did David Ferrie ask to be placed in protec- 14  
2 tive custody?

3 A (No Response.)

4 MR. ALCOCK:

5 I'm instructing the witness not to answer  
6 the question for the same reasons  
7 cited heretofore.

8 BY MR. DYMOND:

9 Q How many times did you interrogate David  
10 Ferrie?

11 A (No Response.)

12 MR. ALCOCK:

13 I am instructing the witness not to answer  
14 the question for the reasons cited  
15 heretofore.

16 BY MR. DYMOND:

17 Q Did you ever interrogate him concerning Clay  
18 L. Shaw?

19 A (No Response.)

20 MR. ALCOCK:

21 I'm instructing the witness not to answer  
22 this question for the same reasons  
23 cited heretofore.

24 BY MR. DYMOND:

25 Q To your knowledge when did Clay L. Shaw first

1                   become a suspect in connection with the 15  
2                   investigation of the assassination of  
3                   President Kennedy?

4       A     (No Response.)

5       MR. ALCOCK:

6                   I am instructing the witness not to  
7                   answer the question for the reasons  
8                   cited heretofore.

9       BY MR. DYMOND:

10      Q     As a result of your investigation did you  
11             conclude that David Ferrie had died of  
12             natural causes, suicide, or had been  
13             killed?

14      A     (No Response.)

15      MR. ALCOCK:

16                Instructing the witness not to answer  
17                the question for the reasons cited  
18                heretofore.

19      BY MR. DYMOND:

20      Q     Was a microphone ever placed in David Ferrie's  
21             apartment?

22      A     (No Response.)

23      MR. ALCOCK:

24                Instructing the witness not to answer the  
25                question for the reasons cited

heretofore.

16

BY MR. DYMOND:

Q When was it placed there?

A (No Response.)

MR. ALCOCK:

Instructing the witness not to answer for  
the reasons cited heretofore.

BY MR. DYMOND:

Q Was it connected to a recording device?

A (No Response.)

MR. ALCOCK:

Instructing the witness not to answer  
for the reasons cited heretofore.

BY MR. DYMOND:

Q Where are the recordings which were made of  
happenings in David Ferrie's apartment?

A (No response.)

MR. ALCOCK:

Instructing the witness to refrain from  
answering the question for the reason  
cited heretofore.

BY MR. DYMOND:

Q Did you or anyone else connected with the  
District Attorney's Office or the New  
Orleans Police Department --

1 propounded to him during the course 20

2 of this deposition? I don't like

3 to do absurd --

4 MR. ALCOCK:

5 Perhaps if you let me read the questions

6 first --

7 MR. ED WEGMANN:

8 -- and foolish and ridiculous things and

9 I think it is a bit ridiculous to

10 sit here and spend the client's

11 money just putting into this record

12 questions that we propose to pro-

13 pound to this witness if he is going

14 to continue to act under your

15 instructions not to answer any ques-

16 tions and is going to act under the

17 instructions which are received here

18 from Garrison to the effect that he

19 is to give inresponse to any ques-

20 tions which we put to him nothing

21 more than --

22 MR. DYMOND:

23 Name, rank and serial number.

24 MR. ALCOCK:

25 Social Security number.

1 MR. ED WEGMANN:

21

2 Just a moment. His name, his office  
3 rank, and his Social Security number  
4 and nothing more.

5 MR. ALCOCK:

6 I'm going to instruct the witness not to  
7 answer any questions relative to the  
8 investigation of the case of the  
9 State of Louisiana versus Clay L.  
10 Shaw for the simple reason that you  
11 do not have this right under State  
12 or Federal Law. However, I would  
13 rather have you propound your ques-  
14 tions so the record is clear as to  
15 exactly what you are attempting to  
16 do here.

17 MR. ED WEGMANN:

18 I want to have the record clear as to  
19 whether the witness is acting under  
20 authority of what you are telling  
21 him what the law is or is he acting  
22 pursuant to the instructions received  
23 from Jim Garrison as set forth in  
24 the letter of June 4, 1968 which is  
25 entered in the record.

1 MR. ALCOCK:

22

2 The witness is acting pursuant to the  
3 reasons I have read into the record  
4 including the letter, the legal  
5 citations and your attempts at dis-  
6 covering the criminal district court --

7 MR. DYMOND:

8 Do you in advising this witness intend  
9 to comply with the directive con-  
10 tained in this letter of June 4?

11 MR. ALCOCK:

12 I intend to comply with the letter  
13 generally. I think we already have  
14 answered more questions than name,  
15 occupation, and Social Security  
16 number.

17 MR. ED WEGMANN:

18 I am trying to get it clear. Are you  
19 acting, are you acting under instruc-  
20 tions received by you and received  
21 by the witness pursuant to Garrison's  
22 letter of June 4 or are you acting  
23 under color of law?

24 MR. BERTEL:

25 I don't think it makes any difference.

1 MR. ALCOCK:

22

2 The witness is acting pursuant to the  
3 reasons I have read into the record  
4 including the letter, the legal  
5 citations and your attempts at dis-  
6 covering the criminal district court --

7 MR. DYMOND:

8 Do you in advising this witness intend  
9 to comply with the directive con-  
10 tained in this letter of June 4?

11 MR. ALCOCK:

12 I intend to comply with the letter  
13 generally. I think we already have  
14 answered more questions than name,  
15 occupation, and Social Security  
16 number.

17 MR. ED WEGMANN:

18 I am trying to get it clear. Are you  
19 acting, are you acting under instruc-  
20 tions received by you and received  
21 by the witness pursuant to Garrison's  
22 letter of June 4 or are you acting  
23 under color of law?

24 MR. BERTEL:

25 I don't think it makes any difference.

1 A (No Response.)

2 MR. ALCOCK:

3 Same objection --

4 BY MR. DYMOND:

5 Q Wait, I haven't finished -- and further planned  
6 with William Gurvich that he was to go out  
7 to the New Orleans Airport, tail David  
8 Ferrie from there and make certain that  
9 David Ferrie did not report or return to  
10 his apartment and thus surprise you and  
11 Loisel in the course of your unauthorized  
12 search of his apartment?

13 A (No Response.)

14 MR. ALCOCK:

15 Same objection, same reasons.

16 BY MR. DYMOND:

17 Q In connection with that search which has been  
18 described by me in the preceding question  
19 did you have a search warrant to authorize  
20 you to enter that apartment?

21 MR. ED WEGMANN:

22 Irvin , let me interrupt you here. Is  
23 it your position, Mr. Alcock, that  
24 this witness is not going to answer  
25 any of the questions which are

1 David Ferrie's apartment prior to his  
2 death?

18

3 A (No Response.)

4 MR. ALCOCK:

5 Same objection, same reasons.

6 BY MR. DYMOND:

7 Q Did you have a search warrant authorizing you  
8 to enter David Ferrie's apartment prior  
9 to the time that he died?

10 A (No response.)

11 MR. ALCOCK:

12 Same objection, same reasons.

13 BY MR. DYMOND:

14 Q Did you at any time give a description of the  
15 interior of David Ferrie's apartment to  
16 William Gurvich while he was acting as an  
17 investigator for the District Attorney's  
18 Office?

19 A (No Response.)

20 MR. ALCOCK:

21 Same objection, same reasons.

22 BY MR. DYMOND:

23 Q In early February of 1967 did you and Lynn  
24 Loisel plan to unauthorizedly enter  
25 David Ferrie's apartment?

1 MR. ED WEGMANN:

17

2 Say same objection, same reasons.

3 BY MR. DYMOND:

4 Q -- to your knowledge have a key to David  
5 Ferrie's apartment --

6 MR. ALCOCK:

7 Same objection --

8 BY MR. DYMOND:

9 Q -- prior to his death and unbeknown to him?

10 A (No Response.)

11 MR. ALCOCK:

12 Same objection, same reasons.

13 BY MR. DYMOND:

14 Q How was this key obtained?

15 A (No Response.)

16 MR. ALCOCK:

17 Same objection, same reasons.

18 BY MR. DYMOND:

19 Q Did you ever search David Ferrie's apartment  
20 prior to his death?

21 A (No Response.)

22 MR. ALCOCK:

23 Same objection, same reasons.

24 BY MR. DYMOND:

25 Q Did you take photographs of the interior of

1 You can ask the witness the question 23  
2 and we will make the objection or  
3 you can not ask the witness a  
4 question. We don't have to tell you  
5 why other than what our objection  
6 is.

7 MR. ALCOCK:

8 We have already noted in the record our  
9 reasons for objecting which include  
10 the letter, the legal citations  
11 given and the various pleadings and  
12 answers and ruling in the Criminal  
13 District Court and we are not going  
14 to specify which particular one.  
15 (RECESS)

16 BY MR. DYMOND:

17 Q Mr. Ivon, with respect to the questions which  
18 you have refused to answer, has your  
19 refusal been based on the instructions of  
20 counsel or upon the instructions given  
21 to you as contained in the letter given  
22 to you by Jim Garrison on June 4?

23 MR. ALCOCK:

24 I am instructing him not to answer that  
25 question on the grounds that I have

1 already given our reasons.

24

2 BY MR. DYMOND:

3 Q Since December 24, 1966, have you yourself or  
4 to your knowledge have any other investi-  
5 gators connected with the DA's office  
6 had Clay Shaw under surveillance?

7 A (No Response.)

8 MR. ALCOCK:

9 Same objection, same reasons.

10 BY MR. DYMOND:

11 Q Have you questioned people in the neighborhood  
12 of 1313 Dauphine Street as to whether they  
13 ever saw Clay Shaw with David Ferrie or  
14 Lee Harvey Oswald?

15 A (No Response.)

16 MR. ALCOCK:

17 Same objection, same reasons.

18 BY MR. DYMOND:

19 Q Were you present in the DA's office when Clay  
20 Shaw was interrogated on December 4, 1966  
21 -- December 24, 1966?

22 A (No Response.)

23 MR. ALCOCK:

24 Same objection, same reasons.

25 BY MR. DYMOND:

1 Q Or were you present when he was interrogated 25  
2 on March 1, 1967?

3 A (No Response.)

4 MR. ALCOCK:

5 Same objection, same reasons.

6 BY MR. DYMOND:

7 Q Mr. Ivon, is Mr. Alcock here with you as your  
8 personal attorney or attorney for  
9 Mr. Garrison and the other defendants in  
10 this case?

11 MR. ALCOCK:

12 I might say for the record I am here  
13 representing Mr. Ivon personally  
14 and representing the Office of the  
15 District Attorney.

16 MR. WILLIAM WEGMANN:

17 Do we understand you refuse to let  
18 Mr. Ivon answer the question?

19 MR. ALCOCK:

20 No, he can answer it.

21 BY MR. DYMOND:

22 Q Would you answer it?

23 A Mr. Alcock just answered it, personally and  
24 as representative of the Office.

25 BY MR. DYMOND:

1 Q Now referring specifically to March 1, 1967 26  
2 when Clay L. Shaw was interrogated in  
3 the DA's office, was a Life photographer  
4 present in the office at that time?

5 A (No response.)

6 MR. ALCOCK:

7 Same objection, same reasons.

8 BY MR. DYMOND:

9 Q Were any other representatives of Life Maga-  
10 zine present at that time?

11 A (No Response.)

12 MR. ALCOCK:

13 Same objection, same reasons.

14 BY MR. DYMOND:

15 Q Was a photographer for Life Magazine permitted  
16 unbeknown by Mr. Shaw to take a photograph  
17 of him while under interrogation at that  
18 time in the District Attorney's Office,  
19 that photograph being taken through a  
20 two-way mirror?

21 A (No Response.)

22 MR. ALCOCK:

23 Same objection, same reasons.

24 BY MR. DYMOND:

25 Q What other special privileges were granted to

1 representatives of Life Magazine during 27  
2 that interrogation or to other people not  
3 affiliated officially with the District  
4 Attorney's Office?

5 A (No Response.)

6 MR. ALCOCK:

7 Same objection, same reasons.

8 BY MR. DYMOND:

9 Q Do you know Mr. Gurvich, William Gurvich?

10 A Yes.

11 Q Were you acquainted with him while he was  
12 acting as an investigator for the DA's  
13 Office in connection with the case against  
14 Clay L. Shaw?

15 A (No Response.)

16 MR. ALCOCK:

17 Same objection, same reasons.

18 BY MR. DYMOND:

19 Q What were Mr. Gurvich's duties?

20 A (No Response.)

21 MR. ALCOCK:

22 Same objection, same reasons.

23 BY MR. DYMOND:

24 Q Was Mr. Gurvich given free access to all the  
25 files, evidence, and information which

1 the DA's Office had in connection with  
2 the case against Clay L. Shaw?

28

3 A (No Response.)

4 MR. ALCOCK:

5 Same objection, same reasons.

6 BY MR. DYMOND:

7 Q Is it not a fact that there existed, sir, a  
8 group of documents known as the "Master  
9 File" of the DA's Office in connection  
10 with the Shaw case?

11 A (No Response.)

12 MR. ALCOCK:

13 Same objection, same reasons.

14 BY MR. DYMOND:

15 Q Are you acquainted with Mr. Leonard Gurvich?

16 A I know him.

17 Q Do you know Mr. Lou Gurvich?

18 A I know of him.

19 Q You don't know him personally, never did talk  
20 to him?

21 A Yes.

22 Q You know him when you see him?

23 A Yes.

24 Q Was either of these men acting as an investi-  
25 gator for the DA's Office in connection

1 with the Clay Shaw case?

29

2 A (No Response.)

3 MR. ALCOCK:

4 Same objection, same reasons.

5 BY MR. DYMOND:

6 Q Referring again to the group of documents  
7 known as the "Master File" in this case  
8 is it not a fact that that Master File  
9 was made available to Lou Gurvich, Bill  
10 Gurvich, and -- What is the other name?

11 MR. WEGMANN:

12 Leonard Gurvich.

13 BY MR. DYMOND:

14 Q And Leonard Gurvich.

15 A (No Response.)

16 MR. ALCOCK:

17 Same objection, same reasons.

18 BY MR. DYMOND:

19 Q Were the copies of the Master File which were  
20 made available to these three men kept  
21 up to date at all times and were they  
22 complete?

23 A (No Response.)

24 MR. ALCOCK:

25 Same objection, same reasons.

1 BY MR. DYMOND:

2 Q Did you make any contribution to the Master  
3 File?

4 A (No Response.)

5 MR. ALCOTT:

6 Same objection, same reasons.

7 BY MR. DYMOND:

8 Q Were you present when Clay L. Shaw was  
9 arrested on March 1, 1967?

10 A (No Response.)

11 MR. ALCOCK:

12 Same objection, same reasons.

13 BY MR. DYMOND:

14 Q Were you present when he was handcuffed?

15 A (No Response.)

16 MR. ALCOCK:

17 Same objection, same reasons.

18 BY MR. DYMOND:

19 Q Who put the handcuffs on him?

20 A (No Response.)

21 MR. ALCOCK:

22 Same objection, same reasons.

23 BY MR. DYMOND:

24 Q Is it customary to handcuff all persons who  
25 are arrested even though they offer no

1 resistance and you have no reasons to  
2 believe that they are likely to attempt  
3 escape?

4 A (No Response.)

5 MR. ALCOCK:

6 Same objection, same reasons.

7 BY MR. DYMOND:

8 Q Who told you to put the handcuffs on  
9 Mr. Shaw?

10 A (No Response.)

11 MR. ALCOCK:

12 Same objection, same reasons.

13 BY MR. DYMOND:

14 Q Who ordered his arrest?

15 A (No Response.)

16 MR. ALCOCK:

17 Same objection, same reasons.

18 BY MR. DYMOND:

19 Q Did you make any attempt to give undue  
20 publicity or unusual publicity to the  
21 arrest of Clay Shaw?

22 A (No Response.)

23 MR. ALCOCK:

24 Same objection, same reasons.

25 BY MR. DYMOND:

1 Q Are you familiar with the fact that William 32  
2 Gurvich made a public statement over  
3 television shortly after the arrest of  
4 Clay L. Shaw?

5 A (No Response.)

6 MR. ALCOCK:

7 Same objection, same reasons.

8 BY MR. DYMOND:

9 Q Who wrote the statement made by Mr. Gurvich?

10 A (No Response.)

11 MR. ALCOCK:

12 Same objection, same reasons.

13 BY MR. DYMOND:

14 Q Were you present during any polygraph examina-  
15 tions that were administered to Perry  
16 Raymond Russo?

17 A (No Response.)

18 MR. ALCOCK:

19 Same objection, same reasons.

20 BY MR. DYMOND:

21 Q Whoe else was present?

22 A (No Response.)

23 MR. ALCOCK:

24 Same objection, same reasons.

25 BY MR. DYMOND:

1 Q Did you ever hear any polygraph operator ex- 33  
2 press an opinion as to whether Perry  
3 Raymond Russo was telling the truth in  
4 connection with the case against Clay L.  
5 Shaw?

6 A (No Response.)

7 MR. ALCOCK:

8 Same objection, same reasons.

9 BY MR. DYMOND:

10 Q Were you present during any of the sessions  
11 during which Perry Raymond Russo was  
12 hypnotized?

13 A (No Response.)

14 MR. ALCOCK:

15 Same objection, same reasons.

16 MR. ED WEGMANN:

17 Mr. Ivon, why do you refuse to answer  
18 these questions?

19 THE WITNESS:

20 On advice of counsel.

21 MR. WILLIAM WEGMANN:

22 Do you know of your own knowledge why you  
23 refuse to answer without asking  
24 Mr. Alcock?

25 MR. ALCOCK:

1 I am objecting to that question as he  
2 has already answered the question.

3 MR. ED WEGMANN:

4 Are you refusing to answer the question  
5 because you have been instructed to  
6 do so by Mr. Garrison pursuant to  
7 his letter of June 4, 1968?

8 MR. ALCOCK:

9 I have instructed Mr. Ivon not to answer  
10 the questions for the reasons pre-  
11 viously cited which include the  
12 letter.

13 BY MR. DYMOND:

14 Q Do you know whether Perry Raymond Russo was  
15 under a hypnotic spell at the time he  
16 testified at the preliminary hearing?

17 A No response.

18 MR. ALCOCK:

19 Same objection, same reasons.

20 MR. ED WEGMANN:

21 Irvin, let's terminate right here. I  
22 think we are doing a useless and  
23 vain thing and I want the record to  
24 show that we are now terminating,  
25 recessing the deposition of this

1 witness for the purpose of going 35  
2 into the court to have The Court  
3 rule on the objections which we will  
4 make to the failure of the witness  
5 to answer the questions propounded  
6 to him. That it is obvious were we  
7 to continue to interrogate the  
8 witness we would be doing a vain  
9 and useless thing because it's  
10 obvious that he is going to continue  
11 to stand mute and that Mr. Alcock  
12 is going to instruct the witness not  
13 to answer any and every question  
14 put to him regardless of whether the  
15 questions fall within the category  
16 he has previously outlined.

17 MR. ALCOCK:

18 I would like the record to reflect that  
19 is not a correct posture of the  
20 situation. The correct posture is  
21 there -- is that Mr. Ivon has been  
22 instructed by me and Mr. Garrison  
23 for the reasons heretofore stated  
24 not to answer any questions relative  
25 to the investigation of the case of

1 the State of Louisiana versus Clay 36

2 L. Shaw.

3 ... At the hour of 11:50 o'clock a.m.  
4 the taking of this deposition was  
5 recessed. ...  
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## 37


LOUIS WILLIAM IVON,  
WITNESS

C E R T I F I C A T E

I, the undersigned, an Official Court Reporter in and for the State of Louisiana, authorized and empowered by law to administer oaths and to take the depositions of witnesses under L.R.S. 13:961.1, as amended, do hereby certify that the above and foregoing deposition is true and correct as taken by me in the above-entitled and -numbered cause(s).

I further certify that I am not of counsel nor related to any of the parties to this cause or in anywise interested in the event thereof.

NEW ORLEANS, LOUISIANA, on the 7 day  
of June 1968.

  
\_\_\_\_\_  
Official Court Reporter

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA  
NEW ORLEANS DIVISION

CLAY L. SHAW

versus

JIM GARRISON, Individually,  
and as District Attorney  
for the Parish of Orleans,  
State of Louisiana, and  
JAMES L. ALCOCK, Individually,  
and as Executive Assistant  
District Attorney for the  
Parish of Orleans, State of  
Louisiana, and  
CHARLES R. WARD Individually,  
and as an Assistant District  
Attorney for the Parish of  
Orleans, State of Louisiana.

CIVIL ACTION  
NO. 68-1063  
SECTION "B"

TESTIMONY OF LYNN H. LOISEL,  
taken by the Plaintiff, pursuant to  
Notice, on the 5th day of June, 1968  
at 1:00 o'clock p.m. at Room 2106  
National American Bank Building, New  
Orleans, Louisiana.

Dietrich & Pickett, Inc.

*Stenotypists*

1123 NATIONAL BANK OF COMMERCE BUILDING  
NEW ORLEANS, LOUISIANA 70112 • 522-3111

1 APPEARANCES:

2

2 For Lynn H. Loisel, Individually  
and the Office of the District Attorney:

3 JAMES L. ALCOCK, Esq.

4 and

5 NUMA V. BERTEL, JR., Esq.

6 For Clay Shaw:

7 EDWARD F. WEGMANN, Esq.

8 WILLIAM J. WEGMANN, Esq.

9 F. IRVIN DYMOND, Esq.

and

10 SALVADORE PANCEZA, Esq.

11 ...oOo...

12 CHARLES A. NEYREY,  
13 OFFICIAL COURT REPORTER

14 ...oOo...

15  
16 S T I P U L A T I O N

17 IT IS STIPULATED AND AGREED by and  
18 between Counsel for Clay Shaw and Counsel Represent-  
19 ing Jim Garrison, et als. that the deposition of  
20 Mr. Lynn H. Loisel is being taken pursuant to  
21 notice before Charles A. Neyrey, authorized and  
22 empowered under R.S. 13:961.1 to administer oaths.

23 THAT the deposition is being taken  
24 under the Federal Rules and that all formalities  
25 including those of signing, sealing, certifying

1 and filing are to be strictly adhered to.

3

2 THAT MR. CHARLES A. NEYREY is not a  
3 party to or in any wise interested in the outcome  
4 of said litigation.

5 ...ooo...

6 LYNN H. LOISEL,  
7 after first being duly sworn by me, was examined  
8 and testified as follows:

9 CROSS-EXAMINATION

10 BY MR. DYMOND:

11 Q Your name is Lynn H. Loisel?

12 A Yes, sir.

13 Q What is your present employment, Mr. Loisel?

14 A I am a Policeman assigned as an Investigator  
15 for the District Attorney's Office.

16 Q I see. So you are employed by the New Orleans  
17 Police Department?

18 A Yes.

19 Q And assigned to duty in the District Attorney's  
20 Office, right?

21 A Yes.

22 Q How long have you been so assigned?

23 A Since as long as Mr. Garrison has been up  
24 there.

25 Q So I take it therefore you have been in that

1 same position ever since the so-called 4  
2 Kennedy assassination probe was commenced  
3 by the District Attorney, is that correct?

4 A Yes.

5 Q Mr. Loisel, since you have been employed as a  
6 member of the New Orleans Police Department  
7 have you been subjected to any disciplin-  
8 ary action of any kind by your superiors  
9 in office?

10 MR. ALCOCK:

11 To the best of your recollection.

12 THE WITNESS:

13 I don't -- Would you explain disciplinary  
14 action? How broad a field do you want  
15 to cover?

16 BY MR. DYMOND:

17 Q Any action in which it was alleged you acted  
18 improperly as a police officer.

19 MR. ALCOCK:

20 Well, that is not the same question.

21 There may have been allegations but  
22 whether or not these allegations  
23 ever were proven and whether he was  
24 disciplined is a different proposi-  
25 tion. Your question was, "Was he

1                   disciplined."

5

2           MR. DYMOND:

3                   My question speaks for itself if he wants  
4                   to answer that.

5           THE WITNESS:

6                   I was never disciplined.

7           BY MR. DYMOND:

8           Q     Have you been subjected to any hearings for  
9                   alleged disciplinary violations?

10          A     Yes.

11          Q     How many times?

12          A     To the best of my knowledge, once.

13          Q     What was the alleged disciplinary violation?

14          A     That was Mr. Beauboeuf who claimed that I had  
15                   tried to bribe him. Well, let me  
16                   rephrase it: I think it was Mr. Burton  
17                   Klein who claimed that I tried to bribe  
18                   Mr. Beauboeuf       more than  
19                   Mr. Beauboeuf       trying to claim so.

20          Q     You had a hearing before the Superintendent  
21                   on that?

22          A     Yes, sir.

23          Q     Now in connection with your assignment to the  
24                   District Attorney's Office for duty, what  
25                   are your duties in the DA's Office?

1 A As an investigator. 6  
2 Q Who is your immediate superior in your job?  
3 A Mr. Garrison.  
4 Q Is Mr. Louis Ivon the Chief Investigator  
5 there?  
6 A Yes, sir.  
7 Q Therefore, he would be your superior in the  
8 investigative field, is that correct?  
9 A In the investigative field.  
10 Q Do you take orders only from Mr. Garrison or  
11 from anyone else there?  
12 A I take orders from Mr. Garrison, Mr. Ivon, and  
13 all Executive Assistants and anybody who  
14 would be in command at that particular  
15 time.  
16 Q Now in connection with the investigation in the  
17 case of the State of Louisiana versus  
18 Clay L. Shaw, did you have occasion to  
19 interview a witness by the name of  
20 Sandra Moffett McMains?  
21 MR. ALCOCK:  
22 I'm going to instruct the witness not to  
23 answer the question for the follow-  
24 ing reasons:  
25 The letter to members of the

1 staff engaged in the investigation 7  
2 of the assassination of President  
3 Kennedy dated June 4, 1968 and  
4 marked previously Ivon Deponent  
5 No. 1 -- I would like to make it a  
6 part of this deposition also.

7 I would like to make a part the  
8 reason that the area we are going  
9 into now is privileged and make a  
10 part of my reasons the counsels'  
11 application for bill of particulars,  
12 prayer for oyer, two supplemental  
13 applications for bill of particulars;  
14 and a second supplemental applica-  
15 tion for bill of particulars; the  
16 State's answer to these various pre-  
17 liminary pleadings; the Court's rul-  
18 ing on these preliminary proceedings  
19 in the Criminal District Court, the  
20 Honorable Judge Haggerty;

21 Additionally I would like to  
22 cite the following cases: Campbell  
23 v. Eastland, 307 Fed. 2d 478, Cert.  
24 Denied 371 U.S. 955; U.S. v. Bridges,  
25 86 Fed. Suppl. 931; Penn v.

1 Automobile Insurance Company And 8  
2 Others, 27 Fed. Suppl. 336; U.S.  
3 v. Linen Supply Institute, 18 Fed.  
4 Rules Decision 452; Zara Contracting  
5 Company v. State of N.Y., 22 A.D.  
6 2d 415; 256 N.Y. Suppl. 2d 93.

7 BY MR. DYMOND:

8 Q Now, Mr. Loisel, I show you the exhibit which  
9 your Counsel has filed here and is marked  
10 for identification Ivon Deponent 1 and I  
11 ask you whether you were given a copy of  
12 this letter by Mr. Garrison or anyone  
13 representing him.

14 MR. ED WEGMANN:

15 Have you seen the letter previously?

16 MR. BERTEL:

17 Let the witness read the letter. He has  
18 been asked one question.

19 MR. ED WEGMANN:

20 Have you seen the letter previously?

21 MR. ALCOCK:

22 Answer one question at a time.

23 THE WITNESS:

24 Yes, but I wanted to make sure it was the  
25 same one I had seen.

1 MR. DYMOND:

9

2 Go ahead and read it then.

3 THE WITNESS:

4 Yes, sir, I have seen this recently.

5 BY MR. DYMOND:

6 Q Did you receive a copy?

7 A I received a copy of it.

8 Q When did you receive a copy of it?

9 A I believe it was yesterday.

10 Q And I take it you read the copy which you  
11 received, is that correct?

12 A Yes, sir.

13 Q Did you come here to this deposition today  
14 intending to follow the instructions  
15 contained in this letter which you stated  
16 that you have received from Mr. Garrison?

17 A Yes, sir.

18 Q In other words is it correct to say that  
19 regardless of objections by counsel that  
20 you would in the course of this deposition  
21 follow these instructions? Would you  
22 answer verbally, Mr. Loisel, so he can  
23 get it?

24 A Yes, sir, that is correct.

25 Q And would that answer apply to any question

1                   which I might ask you which you would  
2                   feel came within the boundaries of ques-  
3                   tions referred to in this letter?

10

4           MR. ALCOCK:

5                   I want to say at this time that Mr. Loisel

6                   -- I am his attorney personally and  
7                   as representing the office and  
8                   Mr. Loisel is going to listen to my  
9                   legal advice as I appreciate it and  
10                  my legal advice would be to object  
11                  to certain questions which I feel  
12                  infringe upon the rights of the  
13                  State of Louisiana in that this is  
14                  an attempt to use civil discovery  
15                  procedures to get an insight into  
16                  the State's case, the criminal case,  
17                  which you are not entitled to and  
18                  which Mr. Loisel is going to abide  
19                  by my instructions and not to answer  
20                  any questions be they relative to  
21                  the case.

22                  Now he has already answered  
23                  certain innocuous questions or  
24                  questions which are not relative to  
25                  the case and I have not objected to

1 his answering those, but I am going 11  
2 to instruct him not to answer for  
3 the reasons, not only the letter from  
4 Mr. Garrison but the ones as here-  
5 tofore stated relative to the  
6 pleadings filed in the Criminal  
7 District Court and the Federal  
8 citations I have given.

9 BY MR. DYMOND:

10 Q Mr. Loisel, I again ask you this question:

11 If at this deposition you are asked any  
12 questions which pertain to the case of  
13 the State of Louisiana versus Clay L.  
14 Shaw, would you follow the instructions  
15 contained in this letter and refuse to  
16 answer them whether your attorney objects  
17 or not?

18 A I would answer only what my attorney told me  
19 for him representing Mr. Garrison and  
20 the letter.

21 MR. DYMOND:

22 Would you read that question back, please  
23 Mr. Neyrey?

24 THE REPORTER:

25 Question: "Mr. Loisel, I again ask you

1                   this question: If at this deposi- 12  
2                   tion you are asked any questions  
3                   which pertain to the case of the  
4                   State of Louisiana versus Clay L.  
5                   Shaw, would you follow the instruc-  
6                   tions contained in this letter and  
7                   refuse to answer them whether your  
8                   attorney objects or not?"

9                   THE WITNESS:

10                   My attorney is representing Mr. Garrison  
11                   and the letter. Whatever he says I  
12                   can answer I will answer. It may  
13                   be a slight bit different than what  
14                   the letter contains but I will go,  
15                   I will follow his advice.

16                   BY MR. DYMOND:

17                   Q     Suppose that I ask you a question that you  
18                           feel pertains to the case of the State of  
19                           Louisiana versus Clay L. Shaw and your  
20                           attorney says nothing, will you refuse  
21                           to answer it because of this letter?

22                   A     If he says I can answer it I will answer.

23                   Q     I said if he says nothing would you of your  
24                           own volition refuse to answer because of  
25                           the instructions contained in the letter

1 marked for identification Ivon

13

2 Deponent 1?

3 MR. BERTEL:

4 I think the witness has already answered  
5 the question.

6 MR. ED WEGMANN:

7 I don't.

8 MR. ALCOCK:

9 I'm not going to remain mute on any  
10 question anyway.

11 BY MR. DYMOND:

12 Q Now in connection with any interview which you  
13 had with the witness Sandra Moffett  
14 McMains, is it a fact that you offered  
15 her clothing, hotel accommodations, and  
16 other benefits if she would come and  
17 give a statement in connection with the  
18 case of the State of Louisiana versus  
19 Clay Shaw?

20 A (No Response.)

21 MR. ALCOCK:

22 Same objection, same reasons.

23 BY MR. DYMOND:

24 Q Mr. Loisel, I want to ask you whether you were  
25 present at a meeting in Mr. Garrison's

1 home which was attended by Mr. Garrison, 14  
2 yourself, and one other person and  
3 Mr. William Gurvich, at which meeting  
4 Mr. Garrison said that he wanted Rick  
5 Townley and Walter Sheridan beaten up and  
6 brought in.

7 A (No Response.)

8 MR. ALCOCK:

9 Same objection, same reasons.

10 MR. ED WEGMANN:

11 Might we ask counsel at this time to tell  
12 us in what way matters pertaining  
13 to Walter Sheridan and Rick Townley  
14 pertain to the Shaw case?

15 MR. ALCOCK:

16 You can ask me, but I'm not going to  
17 answer it. I've given you my reasons  
18 and we will let The Court decide it.

19 BY MR. DYMOND:

20 Q Do you know the present address of Sandra  
21 Moffett McMains?

22 A (No Response.)

23 MR. ALCOCK:

24 Same objection, same reasons.

25 BY MR. DYMOND:

1 Q Mr. Loisel, have you ever at any time since 15

2 March 1, 1967 visited any camera or  
3 photographic shop in the New Orleans area  
4 for the purpose of getting or attempting  
5 to get the technicians in that shop to  
6 alter or superimpose any photographs?

7 A (No response.)

8 MR. ALCOCK:

9 Same objection, same reasons.

10 BY MR. DYMOND:

11 Q Was David Ferrie kept in protective custody  
12 at the Fontainebleau Motel for a period  
13 prior to his death?

14 A (No Response.)

15 MR. ALCOCK:

16 Same objection, same reasons.

17 BY MR. DYMOND:

18 Q Did he request this protective custody?

19 A (No Response.)

20 MR. ALCOCK:

21 Same objection, same reasons.

22 BY MR. DYMOND:

23 Q At any time prior to Ferrie's death did you  
24 without authority of law break into  
25 Ferrie's apartment unbeknownst to him?

1 A (No Response.)

2 MR. ALCOCK:

3 Same objection, same reasons.

4 BY MR. DYMOND:

5 Q Did you at any time prior to Ferrie's death  
6 surreptitiously and unauthorizedly gain  
7 possession of a key to his apartment  
8 without his consent?

9 A (No Response.)

10 MR. ALCOCK:

11 Same objection, same reasons.

12 BY MR. DYMOND:

13 Q If so, how many times did you unauthorizedly  
14 enter David Ferrie's apartment prior to  
15 his death?

16 A (No Response.)

17 MR. ALCOCK:

18 Same objection, same reasons.

19 MR. WEGMANN:

20 Mr. Stenographer, you are in each instance  
21 noting the failure of the witness  
22 to answer -- this is off the record --  
23 (Off-the-record discussion)

24 MR. ALCOCK:

25 My objection is I am instructing him not

1 to answer these questions. When I 17  
2 say "same objection, same reasons,"  
3 I have instructed him not to answer  
4 for the same reasons I have hereto-  
5 fore given.

6 MR. ED WEGMANN:

7 And at the same time let the record show  
8 that the witness refuses to answer  
9 that question.

10 MR. ALCOCK:

11 On advice of counsel.

12 BY MR. DYMOND:

13 Q Let me ask the witness this: Mr. Loisel, are  
14 you throughout this deposition, are you  
15 going to follow your attorney's instruc-  
16 tions as to whether you would answer a  
17 question or not?

18 MR. WEGMANN:

19 Further when your counsel objects to a  
20 question are you then refusing to  
21 answer the question when you stand  
22 mute?

23 MR. ALCOCK:

24 I object to that, because that is an  
25 interpretation of his posture by you,

1 Mr. Wegmann.

18

2 MR. WEGMANN:

3 You are free to make any objections you  
4 want to make and I am also free to  
5 have this record show those things  
6 that I want it to show because this  
7 is a discovery deposition.

8 MR. ALCOCK:

9 I think Mr. Dymond clarified the issue.

10 Mr. Loisel has said that he is going  
11 to abide by my decisions relative  
12 to particular questions and each  
13 question I note an objection to for  
14 the same reasons it is to the effect  
15 that I have instructed him not to  
16 answer the question and he is standing  
17 mute on my advice.

18 BY MR. DYMOND:

19 Q Did you at any time photograph the interior  
20 of David Ferrie's apartment prior to his  
21 death without his knowledge or consent?

22 A (No Response.)

23 MR. ALCOCK:

24 Same objections, same reasons.

25 BY MR. DYMOND:

1 Q Was a plan entered into by you, Louis Ivon, 19  
2 and William Gurvich, under the terms of  
3 which you and Louis Ivon were to break  
4 into Ferrie's apartment prior to his death  
5 and that William Gurvich was to go to the  
6 New Orleans Airport, pick up David Ferrie  
7 and tail him for the purpose of making  
8 certain he did not return to the apart-  
9 ment and surprise you and Louis Ivon in  
10 the course of your search of the apart-  
11 ment?

12 A (No Response.)

13 MR. ALCOCK:

14 Same objection, same reasons.

15 MR. ED WEGMANN:

16 Irvin, I think this is enough. Let's  
17 just get it clear once more that  
18 regardless of the question you ask  
19 the witness that Mr. Alcock is going  
20 to object and the witness is going  
21 to stand mute and we are just wasting  
22 time.

23 MR. ALCOCK:

24 I'd like the record to reflect that that  
25 is not the posture of the situation.

1                   The situation is I will instruct                   20  
2                   him not to answer questions relative  
3                   to his activities in connection with  
4                   the State of Louisiana versus Clay L.  
5                   Shaw investigation and case.

6                   MR. WEGMANN:

7                   Does the same thing hold true with  
8                   respect to the Garrison-Kennedy  
9                   assassination probe?

10                  MR. ALCOCK:

11                  It holds true in connection with the  
12                  State of Louisiana versus Clay L.  
13                  Shaw.

14                  MR. WEGMANN:

15                  Jim, you haven't answered the question.

16                  MR. BERTEL:

17                  The record -- Let the record show that  
18                  the notice for the deposition was  
19                  covering the matter of the State of  
20                  Louisiana versus Clay L. Shaw.

21                  (RECESS)

22                  BY MR. DYMOND:

23                  Q     All set? Did you participate in the search  
24                        of Clay Shaw's residence at 1313 Dauphine  
25                        Street?

1 A (No Response.)

2 MR. ALCOCK:

3 Same objection, same reasons.

4 BY MR. DYMOND:

5 Q Who furnished the information on which the  
6 search warrant for that search was based?

7 A (No Response.)

8 MR. ALCOCK:

9 Same objection, same reasons.

10 BY MR. DYMOND:

11 Q Who else, including the names and addresses,  
12 participated in this search of Clay  
13 Shaw's residence?

14 A (No response.)

15 MR. ALCOCK:

16 Same objection, same reasons.

17 BY MR. DYMOND:

18 Q Did you place handcuffs on Clay Shaw after his  
19 arrest?

20 A (No Response.)

21 MR. ALCOCK:

22 Same objection, same reasons.

23 BY MR. DYMOND:

24 Q Who instructed you to do this?

25 A (No Response.)

1 MR. ALCOCK:

22

2 Same instructions, same reasons.

3 BY MR. DYMOND:

4 Q Have you ever interviewed Vernon Bundy?

5 A (No Response.)

6 MR. ALCOCK:

7 Same objection, same reasons.

8 BY MR. DYMOND:

9 Q Who gave you Vernon Bundy's name?

10 A (No Response.)

11 MR. ALCOCK:

12 Same objection, same reasons.

13 BY MR. DYMOND:

14 Q Where is Vernon Bundy now?

15 A (No response.)

16 MR. ALCOCK:

17 Same objection, same reasons.

18 BY MR. DYMOND:

19 Q Who suggested that the State move for a pre-  
20 liminary hearing in the case of State of  
21 Louisiana versus Clay Shaw?

22 A (No Response.)

23 MR. ALCOCK:

24 Same objection, same reasons.

25 BY MR. DYMOND:

1 Q Do you know a name by the name of John

23

2 Cancler, also known as John the Baptist?

3 A (No Response.)

4 MR. ALCOCK:

5 Same objection, same reasons.

6 BY MR. DYMOND:

7 Q Did you visit John Cancler in the Parish  
8 Prison?

9 A (No Response.)

10 MR. ALCOCK:

11 Same objection, same reasons.

12 BY MR. DYMOND:

13 Q Did you attempt to get John Cancler to break  
14 into Clay Shaw's apartment without  
15 authority of law and without the knowledge  
16 of Clay Shaw?

17 A (No Response.)

18 MR. ALCOCK:

19 Same objection, same reasons.

20 BY MR. DYMOND:

21 Q On whose instructions did you attempt to get  
22 him to do this?

23 A (No Response.)

24 MR. ALCOCK:

25 Same objection, same reasons.

1 BY MR. DYMOND:

24

2 Q Did you meet with William Gurvich in the second  
3 floor corridor of the Criminal District  
4 Court Building and tell him that you  
5 expected to get Cancler to break into  
6 Shaw's apartment and did William Gurvich  
7 say to you "You don't intend to charge a  
8 man on that kind of evidence" and did you  
9 say in reply "Gurvich, you couldn't be  
10 that straight, could you?"

11 A (No Response.)

12 MR. ALCOCK:

13 Same objection, same reasons.

14 BY MR. DYMOND:

15 Q On or about March 16, 1967 did you call a  
16 man by the name of Carlos Quiroga and  
17 ask him to describe for you the Cuban  
18 Freedom pamphlets or leaflets?

19 A (No Response.)

20 MR. ALCOCK:

21 Same objection, same reasons.

22 BY MR. DYMOND:

23 Q Do you know William Gurvich?

24 A Yes.

25 Q When he was acting as an investigator for

1 the DA's Office in connection with the  
2 case of State of Louisiana versus Clay  
3 Shaw was there furnished to him a copy  
4 of the so-called Master File on that  
5 case?

6 A (No Response.)

7 MR. ALCOTT:

8 Same objection, same reasons.

9 BY MR. DYMOND:

10 Q Was this file complete?

11 A (No Response.)

12 MR. ALCOCK:

13 Same objection, same reasons.

14 BY MR. DYMOND:

15 Q Was Mr. Gurvich, was Mr. Gurvich in a position  
16 to know of all of the evidence which the  
17 State had in connection with the case of  
18 State versus Clay Shaw?

19 A (No Response.)

20 MR. ALCOCK:

21 Same objection, same reasons.

22 BY MR. DYMOND:

23 Q Do you know whether Perry Raymond Russo was  
24 under a hypnotic spell when he testified  
25 in the preliminary hearing?

1 A (No Response.)

26

2 MR. ALCOCK:

3 Same objection, same reasons.

4 MR. ED WEGMANN:

5 Mr. Loisel, what is your address?

6 THE WITNESS:

7 21 Canyon Lane.

8 MR. WEGMANN:

9 Where is that?

10 THE WITNESS:

11 Kenner, Louisiana. Actually it is in  
12 St. Charles Parish, but if you would  
13 send mail to St. Charles Parish I  
14 wouldn't get it and so you mail it  
15 to Kenner.

16 MR. DYMOND:

17 I think we better recess pending the  
18 orders of The Court.

19 ... At the hour of 1:30 o'clock p.m.  
20 the taking of this deposition was  
21 recessed. ...  
22  
23  
24  
25

## 27

LYNN H. LOISEL  
WITNESS



UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA  
NEW ORLEANS DIVISION

CLAY L. SHAW

versus

JIM GARRISON Individually,  
and as District Attorney for  
the Parish of Orleans,  
State of Louisiana, and  
JAMES L. ALCOCK Individually,  
and as Executive Assistant  
District Attorney for the  
Parish of Orleans, State  
of Louisiana, and  
CHARLES R. WARD Individually,  
and as Assistant District  
Attorney for the Parish of  
Orleans, State of Louisiana

CIVIL ACTION  
NO. 68-1063

SECTION "B"

TESTIMONY OF JAMES L. ALCOCK,  
taken by Plaintiff at Room 2106 National  
American Bank Building, New Orleans,  
Louisiana, on Thursday, June 6, 1968.

Dietrich & Pickett, Inc.  
*Stenotypists*

1123 NATIONAL BANK OF COMMERCE BUILDING  
NEW ORLEANS, LOUISIANA 70112 • 522-3111

1 APPEARANCES: 2

2 For James L. Alcock Individually  
3 and the Office of the District Attorney:

4 ANDREW J. SCIAMBRA, Esq.

5 and

6 NUMA V. BERTEL, JR., Esq.

7 For Clay Shaw:

8 WILLIAM J. WEGMANN, Esq.

9 EDWARD F. WEGMANN, Esq.

10 and

11 F. IRVIN DYMOND

12 B. L. PICKETT  
13 DEPUTY OFFICIAL COURT REPORTER

14 ...000...

15 S T I P U L A T I O N

16 IT IS STIPULATED BY AND BETWEEN

17 Counsel for Clay Shaw and Counsel representing  
18 Jim Garrison, et als. that the deposition of  
19 Mr. James L. Alcock is being taken pursuant to notice  
20 before B. L. Pickett, Deputy Official Court Reporter.

21 THAT the deposition is being taken  
22 under the Federal Rules and that all formalities  
23 including those of signing, sealing, certifying  
24 and filing are to be strictly adhered to.

25 THAT Mr. B. L. Pickett is not a party  
to or in any wise interested in the outcome of said

1 litigation.

2 ...000...

3 JAMES L. ALCOCK,

4 after first being duly sworn by me, was examined  
5 and testified as follows:

6 EXAMINATION

7 BY MR. EDWARD WEGMANN:

8 Q State your name and address and telephone  
9 number, please.

10 A James L. Alcock, 1337 Rapides Drive, 283-1972.

11 Q What is your Social Security number?

12 A 435-48-7433.

13 Q What is your rank in the District Attorney's  
14 Office for the Parish of Orleans?

15 A Executive Assistant District Attorney.

16 Q Did you answer those questions in accordance  
17 with the instructions given to you by  
18 Mr. Garrison?

19 A I answered the questions because, first, you  
20 asked them of me, and, second, I did not  
21 feel that they in any way reflected or in  
22 any way delved into the evidence the  
23 State may have against Clay L. Shaw in the  
24 case styled State of Louisiana versus  
25 Clay L. Shaw, 198-059.

1 Q And therefore, they were not violative of the 4  
2 instructions given to you by Mr. Garrison;  
3 is that correct?  
4 A They were not violative of those instructions  
5 nor were they violative of the privileges  
6 that I have asserted on behalf of  
7 Mr. Ivon, Mr. Loisel and Mr. Sciambra,  
8 those being not only the letter but also  
9 the legal citations that I have read into  
10 the record, and also the various prelimin-  
11 ary pleadings you have filed on behalf of  
12 Clay Shaw in the Criminal District Court,  
13 our answer to those pleadings and  
14 Judge Haggerty's ruling thereon.  
15 Q Are you represented by counsel this morning?  
16 A Yes, I am.  
17 Q Who is your counsel?  
18 A Mr. Numa V. Bertel.  
19 Q Is Mr. Sciambra also here as your counsel?  
20 A Yes.  
21 Q How long have you been associated with the  
22 office of the District Attorney for the  
23 Parish of Orleans?  
24 A I think I first became an Assistant District  
25 Attorney on October 1, 1963.

1 Q What is your present title or position? 5  
2 A Executive Assistant District Attorney.  
3 Q Are you a member of the Louisiana State Bar  
4 Association?  
5 A Yes, I am.  
6 Q How long have you been a member of that Associ-  
7 ation?  
8 A Since September of '63, I think.  
9 Q When were you admitted to the bar?  
10 A I think it was in September of '63, either  
11 early September or late August of '63.  
12 Q When were you admitted to the bar?  
13 A I don't know the specific date.  
14 Q Approximately when.  
15 A I say either late August of '63 or early  
16 September of '63.  
17 Q From what school did you receive your law  
18 degree?  
19 A Loyola University.  
20 Q What is the chain of command in the District  
21 Attorney's Office?  
22 A Jim Garrison is the District Attorney, Charles  
23 R. Ward is the Chief Assistant District  
24 Attorney, I am and Executive District  
25 Attorney, and Alvin V. Oser is also an

Executive District Attorney.

6

Q And you have listed those names, you have listed those names in the order of the authority and the rank which they have in the office?

A Mr. Oser and I are equal status.

Q Who are the other members of the staff?

A John Voltz, Shirley Wimberley.

MR. DYMOND:

W-I-M-B-E-R-L-E-Y.

THE WITNESS:

(Continuing) Joseph Marcal.

MR. DYMOND:

M-A-R-C-A-L.

THE WITNESS:

(Continuing) David Perlis, Clyde Merrit,

M-E-R-R-I-T, I think; Harry Hull,

H-U-L-L, Charles Foti, F-O-T-I,

Robert Peyton, P-E-Y-T-O-N, Bill

Alford, A-L-F-O-R-D, Carol Heath,

H-E-A-T-H, Numa V. Bertel, Jr., and

Andrew J. Sciambra. I am not that

familiar with the juvenile personnel.

BY MR. EDWARD WEGMANN:

Q How many investigators are assigned, or how many

1 investigators are there on the District 7  
2 Attorney's staff?

3 A I don't know specifically, I would say about  
4 eight, eight to ten.

5 Q Are all of these men members of the New Orleans  
6 Police Department?

7 A Yes, they are.

8 Q What are their names?

9 A Well, there is Lynn Loisel, L-Y-N-N L-O-I-S-E-L,  
10 Louis Ivon, I-V-O-N, Douglas Ward,  
11 W-A-R-D, George Eckert, E-C-K-E-R-T, Frank  
12 Meloche, M-E-L-O-C-H-E, -- oh, let's see,  
13 Kenny Simms, Kenneth Simms, S-I-M-M-S,  
14 Sal Scalia, S-C-A-L-I-A, Clem Nedermeyer.

15 MR. DYMOND:

16 N-E-D-E-R-M-E-Y-E-R.

17 MR. BERTEL:

18 I don't think there is a "Y" in it.

19 THE WITNESS:

20 (Continuing) Clancy Navarre, that is

21 N-A-V-A-R-R-E, I think; Steve

22 Bordelon, Tom Duffy. That is about  
23 all I can think of.

24 BY MR. EDWARD WEGMANN:

25 Q Is Richard Burns still a member of the District

1 Attorney's staff? 8

2 A No, he is not.

3 Q When did he disassociate himself from the staff?

4 A I don't remember specifically. I feel it was  
5 about maybe two months ago.

6 Q Why did he disassociate himself from the staff?

7 A You would have to ask Mr. Burns, but I am quite  
8 sure it was because he got an offer which  
9 he considered had some future for him and  
10 was an offer that he felt he couldn't turn  
11 down, economically speaking.

12 Q Did you ever discuss the matter with him?

13 A Yes, I did.

14 Q Did he tell you why he was leaving?

15 A That was why he was leaving.

16 Q Did he tell you that he was leaving because he  
17 had become disenchanted with Jim Garrison  
18 and his methods?

19 A Definitely not.

20 Q Have you ever discussed Garrison's methods with  
21 Burns?

22 A What do you mean, which methods, methods in  
23 what?

24 Q Methods of operating his office.

25 A Generally?

1 Q And his methods in, that he has used in con- 9  
2 ducting his erstwhile Kennedy assassination  
3 probe.

4 MR. BERTEL:

5 We are going to make the objection now  
6 that was heretofore made, for the  
7 same reasons previously given, the  
8 letter, the pleadings filed in the  
9 case of State versus Clay L. Shaw,  
10 and the citations previously given  
11 in the depositions of Ivon, Loisel  
12 and Sciambra.

13 BY MR. EDWARD WEGMANN:

14 Q Do you refuse to answer the question?

15 A On the advice of counsel, yes.

16 Q Do you know of any other reason why Burns left  
17 the office?

18 A Other than the reason that I have stated into  
19 the record, no.

20 Q It is your testimony then that Burns never did  
21 tell you any other reason for his leaving?

22 A That is correct.

23 Q Now, with respect to these investigators, how  
24 many of them are assigned, first to the  
25 Garrison-Kennedy assassination probe?

1 MR. BERTEL:

2 Same objection; same reasons.

3 A (No Response.)

4 BY MR. EDWARD WEGMANN:

5 Q How many of these investigators are assigned  
6 to the Clay Shaw case?

7 MR. BERTEL:

8 Same objection; same reasons.

9 A (No Response.)

10 BY MR. EDWARD WEGMANN:

11 Q Do these investigators work under you?

12 MR. BERTEL:

13 Same objection; same reasons.

14 A You mean in connection with the probe or the  
15 Shaw case, or generally speaking?

16 Q In connection with the duties as an Assistant  
17 District Attorney, and more particularly  
18 your duties as an Executive Assistant  
19 District Attorney.

20 A General duties, they do not work under me, no,  
21 they work under Louis Ivon, who is the  
22 Chief Investigator.

23 Q Do they work under you in connection with the  
24 Kennedy assassination probe?

25 MR. BERTEL:

1 Same objection; same reasons.

11

2 A (No Response.)

3 BY MR. EDWARD WEGMANN:

4 Q Have they worked under you in connection with  
5 the Clay Shaw case?

6 MR. BERTEL:

7 Same objection; same reasons.

8 A (No Response.)

9 BY MR. EDWARD WEGMANN:

10 Q Have you ever instructed any of these investiga-  
11 tors to get evidence for use in the case of  
12 the State versus Shaw --

13 MR. BERTEL:

14 Same --

15 MR. EDWARD WEGMANN:

16 I haven't finished the question, please.

17 BY MR. EDWARD WEGMANN:

18 Q -- by any means available?

19 MR. BERTEL:

20 Same objection; same reasons.

21 A (No Response.)

22 BY MR. EDWARD WEGMANN:

23 Q Have you ever instructed these investigators  
24 to secure incriminating evidence for use  
25 in the case of the State versus Shaw and

1 to pay for it or to obtain it by means of 12  
2 threats or violence?

3 MR. BERTEL:

4 Same objection; same reasons.

5 A (No Response.)

6 BY MR. EDWARD WEGMANN:

7 Q What are your duties in the District Attorney's  
8 Office?

9 A Generally?

10 Q As you understand the question, what are your  
11 duties?

12 A Well, generally my duties are to prosecute  
13 capital cases, along with Alvin Oser, and  
14 also to prosecute public interest cases.

15 Q What are your duties in connection with the  
16 Shaw case?

17 MR. BERTEL:

18 Same objection; same reasons.

19 A (No Response.)

20 BY MR. EDWARD WEGMANN:

21 Q Have you prosecuted the Shaw case?

22 MR. BERTEL:

23 Same objection; same reasons.

24 A It hasn't gone to trial.

25 Q Have you been actively participating in the

1                   Shaw case since he was indicted by the                   13  
2                   Grand Jury for the Parish of Orleans?  
3           MR. BERTEL:  
4                   Same objection; same reasons.  
5   A           (No Response.)  
6   BY MR. WEGMANN:  
7   Q           When did the District Attorney's Office for the  
8                   Parish of Orleans first commence its  
9                   investigation of the Kennedy assassination?  
10           MR. BERTEL:  
11                   Same objection; same reasons.  
12   A           (No Response.)  
13   BY MR. EDWARD WEGMANN:  
14   Q           How long have you been working on the Kennedy  
15                   probe?  
16           MR. BERTEL:  
17                   Same objection; same reasons.  
18   A           (No Response.)  
19   BY MR. EDWARD WEGMANN:  
20   Q           What is your assignment in connection with the  
21                   Kennedy assassination probe?  
22           MR. BERTEL:  
23                   Same objection; same reasons.  
24   A           (No Response.)  
25   BY MR. EDWARD WEGMANN:

1 Q I show you a letter, dated June 4, 1968, on the 14  
2 stationery of the Office of the District  
3 Attorney for the Parish of Orleans, State  
4 of Louisiana, signed by Jim Garrison, and  
5 ask you if you recognize that signature as  
6 being the signature of Jim Garrison?

7 MR. WILLIAM WEGMANN:

8 I would like the record to show that the  
9 deponent is conferring with his  
10 attorney.

11 THE WITNESS:

12 It appears to be.

13 BY MR. EDWARD WEGMANN:

14 Q Did you see him sign it?

15 A No, I didn't.

16 Q You don't know of your own knowledge that that  
17 is the signature of Garrison?

18 A No, I don't. It appears to be.

19 Q Now, Mr. Alcock, you have been in the District  
20 Attorney's Office since September or  
21 October of 1963, and you mean to tell me  
22 that you are not sufficiently familiar  
23 with Garrison's signature in order to  
24 identify it?

25 MR. BERTEL:

1 The witness has answered the question, 15

2 Mr. Wegmann. He said it appears to  
3 be.

4 MR. EDWARD WEGMANN:

5 This is a new question. Mr. Stenographer,  
6 read the question back, please.

7 THE REPORTER:

8 Question: "Now, Mr. Alcock, you have been  
9 in the District Attorney's Office  
10 since September or October of 1963,  
11 and you mean to tell me that you are  
12 not sufficiently familiar with  
13 Garrison's signature in order to  
14 identify it?"

15 MR. EDWARD WEGMANN:

16 Let the record show that the witness is  
17 again conferring with counsel.

18 THE WITNESS:

19 That is the reason I have counsel present,  
20 to confer with him. As I said  
21 initially, this appears to be  
22 Mr. Garrison's secretary -- signature,  
23 I am sorry, therefore, not having  
24 seen him sign it, I can't positively  
25 say it is his signature.

1 BY MR. EDWARD WEGMANN:

16

2 Q What is your best guess as to whether it is or  
3 it is not his signature?

4 A I don't see the relevancy of these questions.

5 MR. BERTEL:

6 I am going to instruct the witness not to  
7 answer the question by guessing.

8 MR. EDWARD WEGMANN:

9 Would you read him back the question,  
10 please.

11 THE REPORTER:

12 Question: "What is your best guess as to  
13 whether it is or it is not his  
14 signature?"

15 MR. BERTEL:

16 I am going to instruct the witness, I  
17 object, I am going to instruct the  
18 witness to -- not to answer the ques-  
19 tion because the question calls for a  
20 guess.

21 BY MR. EDWARD WEGMANN:

22 Q And, in your opinion, is it or is it not --

23 MR. BERTEL:

24 The witness is not --

25 MR. EDWARD WEGMANN:

1 Just a minute, let me finish the question. 17

2 I will let you object all you want  
3 to.

4 MR. BERTEL:

5 I will let --

6 MR. EDWARD WEGMANN:

7 How much do you have?

8 THE REPORTER:

9 Question: "And, in your opinion, is it or  
10 is it not --"

11 BY MR. EDWARD WEGMANN:

12 Q (Continuing) -- the signature of Jim Garrison?

13 MR. BERTEL:

14 Would you read the question back, please?

15 THE REPORTER:

16 Question: "And, in your opinion, is it  
17 or is it not the signature of Jim  
18 Garrison?"

19 MR. BERTEL:

20 I object on the grounds Mr. Alcock is not  
21 a handwriting expert, and it calls  
22 for an opinion of a qualified hand-  
23 writing expert.

24 BY MR. EDWARD WEGMANN:

25 Q Have you ever received any memorandums signed

by Jim Garrison?

A I may have, but very few.

Q Based upon having received and having seen memorandums addressed to you by Jim Garrison and signed by him, is that or is it not his signature?

MR. BERTEL:

I object on the same ground, that the rephrasing of the question calls for an opinion --

BY MR. EDWARD WEGMANN:

Q Do you know that that is --

MR. BERTEL:

Will you let me finish my objection, please.

MR. EDWARD WEGMANN:

Have you finished?

MR. BERTEL:

No, but I will, though. I object on the same grounds, that the rephrasing of the question calls for an opinion and he is not qualified as a handwriting expert.

BY MR. EDWARD WEGMANN:

Q Do you refuse to answer the question?

1 A On the advice of counsel, yes. 19  
2 Q Are you the author of the document marked  
3 Ivon D-1 and Shaw No. 1?  
4 A No.  
5 Q Was any part of the letter or the communication  
6 written by you?  
7 A No.  
8 Q Were you present when Mr. Garrison dictated it?  
9 A No.  
10 Q Did you receive a copy of it?  
11 A You know I received a copy. I am the one that  
12 introduced it yesterday. I introduced the  
13 original.  
14 Q From whom did you receive the letter?  
15 A Louis Ivon.  
16 Q Have you discussed the contents of the letter  
17 with Garrison?  
18 MR. BERTEL:  
19 I object on the grounds previously given.  
20 A (No Response.)  
21 BY MR. EDWARD WEGMANN:  
22 Q Did you object or protest the issuance of the  
23 letter by Garrison to the members of the  
24 staff?  
25 MR. BERTEL:

1 I object on the grounds previously given. 20

2 A (No Response.)

3 BY MR. EDWARD WEGMANN:

4 Q You are a member of Garrison's staff, aren't  
5 you?

6 MR. BERTEL:

7 I object on the ground that the question  
8 is repetitious and has been previously  
9 answered, in addition to which it is  
10 asked in a facetious manner.

11 MR. DYMOND:

12 Let me say that an objection like that  
13 would go in the record but unless you  
14 instruct the witness not to answer the  
15 question, he would be required to  
16 answer it.

17 THE WITNESS:

18 Well, obviously, Mr. Wegmann, I am a member  
19 of the staff.

20 BY MR. EDWARD WEGMANN:

21 Q Is it your intention in the taking of this  
22 deposition to follow the instructions of  
23 Garrison as contained in this letter and  
24 to refuse to answer the questions which  
25 will be propounded to you?

1 I object on the grounds previously given. 20

2 A (No Response.)

3 BY MR. EDWARD WEGMANN:

4 Q You are a member of Garrison's staff, aren't  
5 you?

6 MR. BERTEL:

7 I object on the ground that the question  
8 is repetitious and has been previously  
9 answered, in addition to which it is  
10 asked in a facetious manner.

11 MR. DYMOND:

12 Let me say that an objection like that  
13 would go in the record but unless you  
14 instruct the witness not to answer the  
15 question, he would be required to  
16 answer it.

17 THE WITNESS:

18 Well, obviously, Mr. Wegmann, I am a member  
19 of the staff.

20 BY MR. EDWARD WEGMANN:

21 Q Is it your intention in the taking of this  
22 deposition to follow the instructions of  
23 Garrison as contained in this letter and  
24 to refuse to answer the questions which  
25 will be propounded to you?

1 MR. BERTEL:

21

2 I object on the grounds previously given,  
3 and those are the grounds upon which  
4 the witness will refuse to answer  
5 the questions if they pertain to the  
6 Clay Shaw case or the investigation  
7 involving the State of Louisiana  
8 versus Clay Shaw.

9 BY MR. EDWARD WEGMANN:

10 Q Do you refuse to answer the question,  
11 Mr. Alcock?

12 A I remain mute because Counsel has spoken for  
13 me for the reasons he has cited and the  
14 reasons that are cited in the depositions  
15 of Ivon, Loisel and Sciambra.

16 MR. EDWARD WEGMANN:

17 Let the record show in each instance that  
18 the witness remains mute and refuses  
19 to answer the question.

20 THE WITNESS:

21 At the instruction of Counsel.

22 BY MR. EDWARD WEGMANN:

23 Q If you want to put in the record that you are  
24 refusing to answer upon instructions of  
25 Counsel, you may do so, but please do not

1                   add anything to the statements which I am 22  
2                   making for the purposes of the record.

3           MR. BERTEL:

4                   Mr. Wegmann, we will add anything we want  
5                   to.

6           MR. EDWARD WEGMANN:

7                   That is your privilege, Mr. Bertel, but I  
8                   don't want that record to indicate  
9                   that you are putting --

10          MR. BERTEL:

11                   It is up to the Stenographer to put in  
12                   who made the statement, not you.

13          BY MR. EDWARD WEGMANN:

14          Q       Do you concur in the actions of Garrison as  
15                   set forth in this letter of June 4, 1968?

16          MR. BERTEL:

17                   Same objection; same reasons.

18          A       (No Response.)

19          BY MR. EDWARD WEGMANN:

20          Q       Do you approve of Garrison's actions as exempli-  
21                   fied by this letter?

22          MR. BERTEL:

23                   Same objection; same reasons.

24          A       (No Response.)

25          BY MR. EDWARD WEGMANN:

1 Q On May 28, 1968 Judge Heebe of the United 23  
2 States District Court for the Eastern  
3 District of Louisiana in the matter  
4 entitled Clay Shaw versus Jim Garrison,  
5 et als., issued a temporary restraining  
6 order enjoining Garrison, yourself, Ward  
7 and the members of your staff from taking  
8 any further actions in the case of the  
9 State of Louisiana versus Clay L. Shaw,  
10 No. 189-059 of the Docket of the Criminal  
11 District Court, Parish of Orleans, pending  
12 further orders of that Court.

13 A I think that is 198-059.

14 MR. BERTEL:

15 Same objection; same reasons.

16 BY MR. EDWARD WEGMANN:

17 Q Is it your opinion that the temporary restrain-  
18 ing order issued by Judge Heebe is  
19 illegal?

20 MR. BERTEL:

21 We object at this time on the ground that  
22 the matter calls for a legal conclu-  
23 sion of a case that is presently  
24 pending.

25 A (No Response.)

1 BY MR. EDWARD WEGMANN:

24

2 Q In Garrison's letter of June 4, 1968 he states,  
3 "The action by this Federal Court continues  
4 the obstruction and interference which we  
5 have received in this case from the outset."

6 You are aware of the fact that that  
7 statement is contained in there, are you  
8 not, in the second paragraph of the letter?

9 A I am sorry, Mr. Wegmann?

10 MR. WILLIAM WEGMANN:

11 Second paragraph, first page.

12 BY MR. EDWARD WEGMANN:

13 Q "The action --"

14 A I am aware that that is in the letter, yes.

15 Q Has the Federal Government interfered with the  
16 Office of the District Attorney for the  
17 Parish of Orleans in its Kennedy assassi-  
18 nation probe?

19 MR. BERTEL:

20 We object on the ground the letter speaks  
21 for itself.

22 BY MR. EDWARD WEGMANN:

23 Q Do you refuse to answer the question?

24 A On advice of Counsel.

25 Q In what manner has the Federal Government inter-  
fered with the office of the District

1  
2 MR. BERTEL:

3 Same objection; same reasons.

4 MR. DYMOND:

5 Are you instructing the witness not to  
6 answer?

7 MR. BERTEL:

8 Not to answer on the grounds that the  
9 letter speaks for itself and Counsel  
10 is attempting to elicit a legal in-  
11 terpretation from the witness.

12 MR. DYMOND:

13 I would like to answer that objection for  
14 the record. We are not asking this  
15 witness what the letter says, we are  
16 asking him for his --

17 MR. EDWARD WEGMANN:

18 Knowledge.

19 MR. DYMOND:

20 -- statement, based on his own knowledge  
21 as to whether there has been inter-  
22 ference, and whether the letter says  
23 that or not is irrelevant to this  
24 question.

25 MR. BERTEL:

1 Repeat the question, not Mr. Dymond's  
2 response, Mr. Wegmann.

26

3 THE REPORTER:

4 Question: "In what manner has the  
5 Federal Government interfered with  
6 the Office of the District Attorney  
7 for the Parish of Orleans?"

8 MR. BERTEL:

9 We object on the grounds previously given.  
10 We additionally object on the ground  
11 that the question is irrelevant and  
12 instruct the witness not to answer  
13 the question.

14 A (No Response.)

15 BY MR. EDWARD WEGMANN:

16 Q Has anyone ever interfered with the conduct,  
17 with your conduct in the fulfillment of  
18 your duties as an Assistant District  
19 Attorney for the Parish of Orleans?

20 MR. BERTEL:

21 Same objection as to the reasons previously  
22 given; in addition, the relevancy.

23 MR. DYMOND:

24 You are further instructing the witness  
25 not to answer, in addition to objecting?

1 MR. BERTEL:

2 (Nods in the affirmative.)

3 MR. DYMOND:

4 His answer is yes.

5 A (No Response.)

6 BY MR. EDWARD WEGMANN:

7 Q Have you personally ever been interfered with  
8 in the performance of any of your duties  
9 as an Assistant District Attorney by any  
10 member of the Federal Government?

11 MR. BERTEL:

12 Same objection; same reasons.

13 A (No Response.)

14 BY MR. EDWARD WEGMANN:

15 Q Referring again to the Garrison letter of  
16 June 4, the statement is made, "The action  
17 by this Federal Court continues the ob-  
18 struction and interference which we have  
19 received in this case from the outset,  
20 beginning with the unprecedented announce-  
21 ment of the Attorney General of the United  
22 States that the defendant had been 'cleared'  
23 and proceeding through a series of Federal  
24 actions too numerous to describe here."

25 Do you agree with this statement?

1 MR. BERTEL:

28

2 Same objection; same reasons. In addition,  
3 the relevancy is objected to.

4 A (No Response.)

5 BY MR. EDWARD WEGMANN:

6 Q When did the Government first interfere with  
7 your Kennedy assassination probe or the  
8 case of State versus Shaw?

9 MR. BERTEL:

10 Same objection, same reasons previously  
11 given.

12 A (No Response.)

13 BY MR. EDWARD WEGMANN:

14 Q Do you have any knowledge of any interference  
15 on the part of the Federal Government with  
16 your duties as an Assistant District  
17 Attorney, either in connection with the  
18 Garrison-Kennedy assassination probe or  
19 the case of the State versus Shaw, or any  
20 other matter being handled by your office?

21 MR. BERTEL:

22 Same objection; same reasons.

23 A (No Response.)

24 BY MR. EDWARD WEGMANN:

25 Q Or do you believe that the Government has

1 obstructed the Garrison-Kennedy assassi-  
2 nation probe?

29

3 MR. BERTEL:

4 Same objection; same reasons.

5 A (No Response.)

6 BY MR. EDWARD WEGMANN:

7 Q Why does Garrison believe that the Government  
8 is obstructing his probe?

9 MR. BERTEL:

10 We object on the ground that the response  
11 calls for an opinion and knowledge  
12 that is beyond the purview of the wit-  
13 ness, and also for the reasons  
14 previously given.

15 MR. DYMOND:

16 And do you further instruct the witness  
17 not to answer the question?

18 MR. BERTEL:

19 Yes.

20 A (No Response.)

21 BY MR. EDWARD WEGMANN:

22 Q Do you have personal knowledge of interference  
23 with the Kennedy assassination probe by  
24 the United States Government, any of its  
25 officers, any of its agents?

1 MR. BERTEL:

30

2 We object on the same grounds for reasons  
3 previously given.

4 A (No Response.)

5 BY MR. EDWARD WEGMANN:

6 Q Do you have any personal knowledge as to the  
7 basis for the statements of interference  
8 on the part of the United States Govern-  
9 ment as made by Garrison?

10 MR. BERTEL:

11 Same objection; same reasons.

12 A (No Response.)

13 BY MR. EDWARD WEGMANN:

14 Q Do you yourself in your capacity as an Executive  
15 Assistant District Attorney for the Parish  
16 of Orleans contend that there is a  
17 conspiracy among the Federal Judiciary,  
18 the Executive Branch, the Legislative  
19 Branch of the Federal Government or any  
20 combination thereof, to obstruct the  
21 Garrison-Clay Shaw case?

22 MR. BERTEL:

23 Same objection; same reasons, particularly  
24 the objection as to the relevancy of  
25 the question.

1 A (No Response.)

2 BY MR. EDWARD WEGMANN:

3 Q Have you read the Warren Report?

4 MR. BERTEL:

5 Same objection; same reasons.

6 A (No Response.)

7 BY MR. EDWARD WEGMANN:

8 Q Do you agree with the conclusions of the  
9 Warren Report?

10 MR. BERTEL:

11 Same objection; same reasons.

12 A (No Response.)

13 BY MR. EDWARD WEGMANN:

14 Q It is a fact of history at this moment that  
15 Lee Harvey Oswald killed the late John F.  
16 Kennedy in Dallas, Texas on November 22,  
17 1963. Do you agree with that?

18 MR. BERTEL:

19 Same objections, particularly the gratui-  
20 tous statement by Counsel, and for  
21 the reasons previously given, and  
22 instruct the witness not to answer  
23 the question.

24 A (No Response.)

25 BY MR. EDWARD WEGMANN:

1 Q Who killed President Kennedy?

32

2 MR. BERTEL:

3 Same objection; same response.

4 MR. EDWARD WEGMANN:

5 Apparently some people here, including  
6 the witness, seem to believe that  
7 this is a laughing matter --

8 MR. BERTEL:

9 No, we just think your question was a  
10 laughing matter.

11 MR. EDWARD WEGMANN:

12 Let me finish, please, if you will,

13 Mr. Bertel. -- whereas, in truth and  
14 in fact, the life and liberty of  
15 Clay Shaw are at stake, and have been  
16 at stake since on or about March 1,  
17 1967, and I would like everybody in  
18 the room to know that I, as well as  
19 my associates, consider this to be a  
20 very serious matter.

21 MR. BERTEL:

22 We would also like the record to show that  
23 The State of Louisiana considers it to  
24 be a verious serious matter and has  
25 so conducted themselves and on every

1 moment have tried to give Mr. Shaw  
2 a speedy trial but have not been  
3 successful.

33

4 MR. EDWARD WEGMANN:

5 I am definitely going to interrupt you  
6 because this is no time for argument  
7 on any of these points.

8 MR. BERTEL:

9 That is simply a gratuitous statement in  
10 response to your gratuitous statement.

11 MR. EDWARD WEGMANN:

12 We will get on with the interrogation.

13 BY MR. EDWARD WEGMANN:

14 Q As a result of whatever part or portions of  
15 the Warren Report that you have read and  
16 your work with Jim Garrison in his Kennedy  
17 assassination probe, do you believe that  
18 Oswald killed John F. Kennedy?

19 MR. BERTEL:

20 Same objection; same reasons.

21 A (No Response.)

22 BY MR. EDWARD WEGMANN:

23 Q Again, as a result of what you have read of the  
24 Warren Report, or as a result of your  
25 participation in the Garrison-Kennedy

1                    assassination probe, do you have any  
2                    opinion as to who killed Officer Tippett  
3                    in Dallas on November 22, 1963?

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4                    MR. BERTEL:

5                    Same objection; same reasons.

6                    A        (No Response.)

7                    MR. DYMOND:

8                    For the purpose of this record, so we  
9                    won't have to continue to interrupt,  
10                   may we stipulate that every time that  
11                   Counsel for Mr. Alcock says "Same  
12                   objection; same reasons," that he is  
13                   likewise instructing the witness not  
14                   to answer the questions for the  
15                   reasons previously given and that the  
16                   witness is following his instructions?

17                   MR. BERTEL:

18                   (Nods in the affirmative.)

19                   BY MR. EDWARD WEGMANN:

20                   Q        In the Garrison letter of June 4, 1968 it is  
21                   stated at the bottom of page 1, "In time  
22                   we learned that individuals connected with  
23                   the Central Intelligence Agency were  
24                   involved in the assassination of the  
25                   President." What CIA agents were involved

1 in Kennedy's assassination?

35

2 MR. BERTEL:

3 Same objection; same reasons.

4 A (No Response.)

5 BY MR. EDWARD WEGMANN:

6 Q Do you concur in that statement?

7 MR. BERTEL:

8 Same objection; same reasons.

9 A (No Response.)

10 BY MR. EDWARD WEGMANN:

11 Q Again, in the Garrison letter of June 4, 1968

12 it is stated, and I quote, "We learned,

13 further, that a number of high officials

14 of the United States Government were, in

15 effect, acting as accessories after the

16 fact in trying to conceal the truth about

17 the President's murder."

18 MR. BERTEL:

19 Same objection --

20 MR. EDWARD WEGMANN:

21 I haven't asked him any question yet.

22 BY MR. EDWARD WEGMANN:

23 Q What officials of the United States Government

24 are referred to by that statement?

25 MR. BERTEL:

1 Same objection; same reasons.

36

2 A (No Response.)

3 BY MR. EDWARD WEGMANN:

4 Q What officials of the United States Government  
5 does Garrison have reference to?

6 MR. BERTEL:

7 Same objection; same reasons.

8 A (No Response.)

9 BY MR. EDWARD WEGMANN:

10 Q Do you believe that President Johnson is an  
11 accessory after the fact in the assassina-  
12 tion of Kennedy?

13 MR. BERTEL:

14 Same objection; same reasons.

15 A (No Response.)

16 BY MR. EDWARD WEGMANN:

17 Q On Wednesday evening, June 5, 1968, after  
18 leaving this officer where we are presently,  
19 and subsequent to the taking of depositions  
20 of various witnesses in this case, you  
21 were quoted on television as having stated  
22 that we as attorneys for Clay Shaw were  
23 using these depositions and the proceedings  
24 filed on behalf of Mr. Shaw in the Federal  
25 Court as a ruse to get information which

1 we cannot otherwise get, or words to the 37  
2 effect. Did you make any such statement  
3 when you left this room yesterday evening?

4 MR. BERTEL:

5 Same objection; same reasons.

6 A (No Response.)

7 BY MR. EDWARD WEGMANN:

8 Q Did you make any statements in front of tele-  
9 vision cameras when you left here yesterday  
10 afternoon?

11 MR. BERTEL:

12 Same objection; same reasons.

13 A (No Response.)

14 BY MR. EDWARD WEGMANN:

15 Q Is it your opinion that these proceedings filed  
16 in the United States District Court for the  
17 Eastern District of Louisiana on behalf of  
18 Clay Shaw are a ruse?

19 MR. BERTEL:

20 Same objection; same reasons.

21 A (No Response.)

22 BY MR. EDWARD WEGMANN:

23 Q Mr. Alcock, if the United States District Court  
24 orders you to answer any or all of the  
25 questions which have previously been

1 propounded to you, is it your intention  
2 to continue to refuse to answer said  
3 questions?

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4 MR. BERTEL:

5 Same objection; same reasons.

6 A (No Response.)

7 MR. EDWARD WEGMANN:

8 Would you explain for the benefit of the  
9 record, Mr. Bertel, just how you  
10 feel that the authorities previously  
11 cited by you support the objection  
12 which you have just made to that  
13 question, not only for the benefit of  
14 the record but also for my own edifi-  
15 cation and education?

16 MR. BERTEL:

17 Well, I don't have to educate Counsel and  
18 I don't have to explain my objection  
19 any further.

20 MR. EDWARD WEGMANN:

21 I would be very pleased to have you educate  
22 me.

23 MR. BERTEL:

24 Well, if we have the time, I would be happy  
25 to do it, but we have other duties.

1 MR. EDWARD WEGMANN:

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2 In other words, you still feel that this  
3 is a laughing matter?

4 MR. BERTEL:

5 No, I think it is a very serious matter.

6 MR. EDWARD WEGMANN:

7 Your actions don't reflect that.

8 MR. BERTEL:

9 Well, that is because you prompt my ac-  
10 tions that way.

11 BY MR. EDWARD WEGMANN:

12 Q In the Garrison letter of June 4, 1968 it is  
13 stated, and I quote, "The recent order by  
14 the United States District Court blocking  
15 our trial of Mr. Shaw is, in our judgment,  
16 simply an extension of the program of  
17 interference we have met with from the  
18 United States Government."

19 What branch of the Government or what  
20 person connected with the United States  
21 Government has prevented the facts from  
22 becoming known to the American public?

23 MR. BERTEL:

24 Same objection; same reasons.

25 A (No Response.)

1 BY MR. EDWARD WEGMANN:

40

2 Q How has the Government prevented the facts from  
3 becoming known?

4 MR. BERTEL:

5 Same objection; same reasons.

6 A (No Response.)

7 BY MR. EDWARD WEGMANN:

8 Q Why did the Government prevent the facts from  
9 becoming known if in fact they did prevent  
10 them?

11 MR. BERTEL:

12 Same objection; same reasons.

13 A (No Response.)

14 BY MR. EDWARD WEGMAN:

15 Q Again, in the Garrison letter of June 4, 1968,  
16 it is stated, "The position of this Office  
17 is that we will not accept not acknowledge  
18 such lawless use of power, despite the  
19 color of law given it by the pretense that  
20 there is some 'question' for the Federal  
21 Judiciary to examine, nor will we co-operate  
22 with the illegal fishing expeditions by  
23 the Defense Counsel even though authorized  
24 by the same United States District Court."

25 Do you concur in that statement?

1 MR. BERTEL:

2 Same objection; same reasons.

3 A (No Response.)

4 BY MR. EDWARD WEGMANN:

5 Q Did you write that statement?

6 A No.

7 Q Did you read that statement?

8 A Yes.

9 Q Do you agree with it?

10 MR. BERTEL:

11 Same objection, same reasons.

12 A (No Response.)

13 BY MR. EDWARD WEGMANN:

14 Q Again, in the Garrison letter of June 4, 1968,  
15 it is stated, and I quote, "This is to  
16 instruct you that you are to refuse to  
17 recognize in any way this illegal and un-  
18 authorized invasion of the operation of  
19 our office by the Federal Government."

20 What is mean by that statement?

21 MR. BERTEL:

22 Same objection; same reasons.

23 A (No Response.)

24 BY MR. EDWARD WEGMANN:

25 Q Doyou concur in that statement?

1 MR. BERTEL:

42

2 Same objection; same reasons.

3 A (No Response.)

4 BY MR. EDWARD WEGMANN:

5 Q You are aware of the fact, are you not, that  
6 leave of court to take these depositions,  
7 including that of yourself, was granted  
8 by Judge Heebe through an order issued by  
9 him?

10 A That is correct, I am. I am also aware of the  
11 fact that a witness through counsel can  
12 object to answering various questions put  
13 to him in the course of a deposition which  
14 he feels violates privileges.

15 Q Are you willing to ignore the orders of the  
16 court simply because Mr. Garrison tells  
17 you to do so?

18 MR. BERTEL:

19 Same objection; same reasons.

20 A (No Response.)

21 BY MR. EDWARD WEGMANN:

22 Q I believe that you have previously stated  
23 during one or more of these depositions  
24 that you were acting as Counsel for the  
25 Defendant in these proceedings, Jim

1                   Garrison, as well as for the Defendant  
2                   Charles R. Ward; is that correct?

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3       A       I think I said I was Counsel for the Office  
4                   in these proceedings and Counsel for the  
5                   individual deponents, being Loisel, Ivon  
6                   and Sciambra.

7       Q       Well, are you representing Garrison in these  
8                   proceedings?

9       A       Mr. Garrison isn't here.

10      Q       Are you representing Jim Garrison in connection  
11                   with the matter entitled "Civil Action  
12                   No. 68-1063," entitled Clay L. Shaw versus  
13                   Jim Garrison, et als.," of the docket of  
14                   the United States District Court for the  
15                   Eastern District of Louisiana?

16      MR. BERTEL:

17                   Jim Garrison, Jim Garrison has not filed  
18                   any pleadings in this case or any  
19                   response thereto. When he does, his  
20                   counsel will be of record.

21      MR. EDWARD WEGMANN:

22                   Would you read back that question to the  
23                   witness, please?

24      THE REPORTER:

25                   Question: "Are you representing Jim

1                   Garrison in connection with the  
2                   matter entitled "Civil Action No.  
3                   68-1063," entitled Clay L. Shaw  
4                   versus Jim Garrison, et als.," of  
5                   the docket of the United States  
6                   District Court for the Eastern  
7                   District of Louisiana?"

8       BY MR. EDWARD WEGMANN:

9       Q       Would you answer the question, please.

10       MR. BERTEL:

11               Same answer as we previously gave.

12       A       (No Response.)

13       MR. DYMOND:

14               You gave an answer; the witness didn't  
15               give it.

16       MR. BERTEL:

17               We object to the question on the grounds  
18               that I previously gave.

19       MR. EDWARD WEGMANN:

20               Let the record show that the witness  
21               stands mute.

22       A       (No Response.)

23       BY MR. EDWARD WEGMANN:

24       Q       Did you attend the pretrial conference in  
25               Judge Heebe's chambers on Monday, May 27,

1 1968 in connection with this matter?

45

2 A Yes.

3 Q Did you not state at that time to Judge Heebe  
4 that you were representing Jim Garrison?

5 A At that conference, yes.

6 Q And in connection with these proceedings?

7 A I don't recall that I said I represented him  
8 in connection with the proceedings, but  
9 that I represented the office, him, myself  
10 and Ward at that meeting, yes.

11 Q What office are you referring to?

12 A The District Attorney's office.

13 Q Who is the District Attorney for the Parish of  
14 Orleans?

15 A Jim Garrison.

16 Q Did you not also on Tuesday, May 28, 1968,  
17 attend a second pretrial conference in  
18 Judge Heebe's office at which time you  
19 represented to him that you were represent-  
20 ing Garrison and Ward, as well as yourself,  
21 in connection with the temporary restrain-  
22 ing order which we were then seeking in  
23 these proceedings?

24 MR. BERTEL:

25 We object on the ground that it is

1 irrelevant; that the record of the  
2 pretrial conference speaks for  
3 itself.

46

4 MR. EDWARD WEGMANN:

5 I would ask Counsel if he is aware of the  
6 fact that in a discovery deposition  
7 or in any deposition questions can  
8 be asked and answered regardless of  
9 whether they are material or imma-  
10 terial, and call his attention to  
11 the fact that that is the law.

12 THE WITNESS:

13 That is Counsel's judgment; that is not  
14 necessarily the law. There have been  
15 objections to relevancy sustained,  
16 although rarely,

17 BY MR. EDWARD WEGMANN:

18 Q Are you speaking now as a witness or as your  
19 own counsel?

20 A As an attorney and as a witness.

21 Q Do you deny that you represent Jim Garrison  
22 in these proceedings?

23 MR. BERTEL:

24 Same objection; same reasons.

25 A (No Response.)

1 BY MR. EDWARD WEGMANN:

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2 Q Do you represent yourself in these proceedings?

3 MR. BERTEL:

4 Same objection; same reasons.

5 A (No Response.)

6 BY MR. EDWARD WEGMANN:

7 Q Is it your intention to file responsive plead-  
8 ings to the complaint filed on behalf of  
9 Mr. Shaw?

10 MR. BERTEL:

11 We object on the ground that it calls for  
12 a conclusion that may not necessarily  
13 be within the purview of the witness.

14 MR. DYMOND:

15 Do you also, do you instruct him not to  
16 answer that at this time, or not?

17 MR. BERTEL:

18 Yes.

19 A (No Response.)

20 BY MR. EDWARD WEGMANN:

21 Q Do you intend to file responsive pleadings on  
22 behalf of Charles R. Ward?

23 MR. BERTEL:

24 Same objection; same reasons.

25 A (No Response.)

1 BY MR. EDWARD WEGMANN:

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2 Q Do you intend to file responsive pleadings on  
3 behalf of yourself?

4 MR. BERTEL:

5 Same objection; same reasons.

6 A (No Response.)

7 BY MR. EDWARD WEGMANN:

8 Q Do you intend or do you plan to instruct your  
9 counsel to file responsive pleadings on  
10 behalf of yourself?

11 MR. BERTEL:

12 Same objection; same reasons.

13 A (No Response.)

14 BY MR. EDWARD WEGMANN:

15 Q Will you represent Garrison and Ward when  
16 contempt proceedings are filed because of  
17 your refusal to answer and respond to this  
18 deposition?

19 MR. BERTEL:

20 Same objection, same reasons, and an addi-  
21 tional, Counsel is assuming something  
22 to be a fact that is not a fact.

23 A (No Response.)

24 BY MR. EDWARD WEGMANN:

25 Q Are you willing to subject yourself to contempt

1 proceedings in the United States District 49  
2 Court simply because Garrison instructs  
3 you not to answer these questions on the  
4 ground that the Federal Government is  
5 interfering with its Kennedy assassination  
6 probe?

7 MR. BERTEL:

8 Same objection as previously given,  
9 particularly the citation of authority  
10 which indicates that the witness'  
11 refusal to answer is based on proper  
12 legal grounds.

13 A (No Response.)

14 BY MR. EDWARD WEGMANN:

15 Q Referring again to page 3 of the Garrison  
16 letter of June 4, 1968, I quote, "The  
17 United States District Court's action in  
18 cancelling our scheduled trial date is  
19 plainly illegal and no member of this  
20 staff is to compromise or co-operate in  
21 any way with this totalitarian display of  
22 power by the Federal Government."

23 Will you explain that statement to  
24 me, please.

25 MR. BERTEL:

1 Same objection; same reasons.

50

2 A (No Response.)

3 BY MR. EDWARD WEGMANN:

4 Q What is the meaning of the words "totalitarian  
5 display of power"?

6 MR. BERTEL:

7 Same objection; same reasons.

8 A (No Response.)

9 BY MR. EDWARD WEGMANN:

10 Q Were you present at the press conference held  
11 by Jim Garrison on May 29, 1968?

12 A I believe I was, yes.

13 Q Did you participate in the press conference?

14 A No.

15 Q During this press conference Garrison indicated  
16 that someone in Washington, perhaps some-  
17 one in the Justice Department, ordered  
18 Judge Heebe to sign the temporary restrain-  
19 ing order which he signed in this case on  
20 May 28, 1968. Do you have any evidence of  
21 that fact that Judge Heebe acted under  
22 orders from someone higher in authority  
23 than him?

24 MR. BERTEL:

25 Same objection; same reasons. In addition,

1 if Counsel has the press conference, 51

2 I wish he would submit it to the  
3 witness so we can determine whether  
4 that was an accurate statement of the  
5 press conference.

6 A (No Response.)

7 BY MR. EDWARD WEGMANN:

8 Q Did Mr. Garrison make such a statement at the  
9 press conference?

10 MR. BERTEL:

11 Same objection; same reasons.

12 A (No Response.)

13 BY MR. EDWARD WEGMANN:

14 Q Did Mr. Garrison infer or insinuate by any of  
15 the statements made by him at the press  
16 conference that Judge Heebe had acted under  
17 orders from Washington when he signed the  
18 temporary restraining order?

19 MR. BERTEL:

20 Same objection; same reasons.

21 A (No Response.)

22 BY MR. EDWARD WEGMANN:

23 Q Is it your opinion that Judge Heebe did not  
24 sign this temporary restraining order of  
25 his own volition?

1 MR. BERTEL:

52

2 Same objection; same reasons.

3 A (No Response.)

4 BY MR. EDWARD WEGMANN:

5 Q Did either you or Garrison have any evidence  
6 to support the position that Judge Heebe  
7 was ordered by someone else to sign the  
8 temporary restraining order in question?

9 MR. BERTEL:

10 Same objection; same reasons.

11 A (No Response.)

12 BY MR. EDWARD WEGMANN:

13 Q At this same press conference on May 29, 1968  
14 Mr. Garrison indicated that Mr. Shaw's  
15 attorneys, namely, Mr. Dymond, Mr. Wegmann  
16 and myself, were a part of the Federal  
17 conspiracy to obstruct his Kennedy assassi-  
18 nation probe. Do you have any evidence to  
19 establish such a statement?

20 MR. BERTEL:

21 Same objection; same reasons.

22 A (No Response.)

23 BY MR. EDWARD WEGMANN:

24 Q Does Mr. Garrison have any such evidence?

25 MR. BERTEL:

1 Same objection; same reasons.

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2 A (No Response.)

3 BY MR. EDWARD WEGMANN:

4 Q Do you concur in the statements made by  
5 Mr. Garrison?

6 MR. BERTEL:

7 Same objection; same reasons.

8 A (No Response.)

9 BY MR. EDWARD WEGMANN:

10 Q Do you concur in any of the statements made by  
11 Garrison at that press conference?

12 MR. BERTEL:

13 Same objection; same reasons.

14 A (No Response.)

15 BY MR. EDWARD WEGMANN:

16 Q At previous press conferences, as well as in  
17 speeches made by Garrison, or documents  
18 written by him, he is reported as having  
19 stated that the Central Intelligence  
20 Agency was paying all attorneys who were  
21 representing individuals charged by  
22 Garrison as a result of his Kennedy  
23 assassination probe. Do you agree with  
24 that statement?

25 MR. BERTEL:

1 Same objection; same reasons.

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2 A (No Response.)

3 BY MR. EDWARD WEGMANN:

4 Q Do you have any evidence to support such a  
5 statement?

6 MR. BERTEL:

7 Same objection; same reasons.

8 A (No Response.)

9 BY MR. EDWARD WEGMANN:

10 Q Does Garrison have any evidence to support  
11 such a statement?

12 MR. BERTEL:

13 Same objection; same reasons.

14 A (No Response.)

15 BY MR. EDWARD WEGMANN:

16 Q In his Playboy Magazine interview, as well as  
17 in other interviews and/or speeches,  
18 Garrison has made the statement that  
19 Burton G. Klein, who represent Alvin  
20 Beauboeuf, was being paid by the CIA. Is  
21 it your opinion or your belief that  
22 Burton Klein is being paid by the CIA?

23 MR. BERTEL:

24 Same objection, same reasons, particularly  
25 including the objection of relevancy.

1 A (No Response.)

2 MR. EDWARD WEGMANN:

3 What was the last question?

4 MR. DYMOND:

5 "Is it your belief--"

6 BY MR. EDWARD WEGMANN:

7 Q Do either you or Garrison have any evidence to  
8 support a contention that Klein, Mr. Klein  
9 or any other attorney who has been associ-  
10 ated with or in any manner connected with  
11 the Garrison-Kennedy assassination probe  
12 or any tangent thereof is in the employ of  
13 the CIA?

14 MR. BERTEL:

15 Same objection; same reasons.

16 A (No Response.)

17 BY MR. EDWARD WEGMANN:

18 Q Do you believe that Mr. F. Ivin Dymond is in  
19 the employ of the CIA?

20 MR. BERTEL:

21 Same objection; same reasons.

22 A (No Response.)

23 BY MR. EDWARD WEGMANN:

24 Q Do you, either you or Garrison or any member  
25 of the District Attorney's staff have any

1 evidence, in any evidence to the effect  
2 that Mr. Dymond, Mr. William J. Wegmann  
3 or I myself is employed by the CIA?

4 MR. BERTEL:

5 Same objection, same reasons.

6 A (No Response.)

7 BY MR. EDWARD WEGMANN:

8 Q Do you agree with the statement repeatedly made  
9 by Garrison to the effect that the Warren  
10 Report is a fraud perpetrated on the  
11 people of the United States by the Federal  
12 Government?

13 MR. BERTEL:

14 Same objection; same reasons.

15 A (No Response.)

16 BY MR. EDWARD WEGMANN:

17 Q Mr. Garrison has been quoted as saying, and I  
18 quote, "Pimps are less likely to lie than  
19 lawyers." Do you agree with that  
20 statement?

21 MR. BERTEL:

22 Same objection; same reasons, particularly  
23 the objection of relevancy.

24 A (No Response.)

25 BY MR. EDWARD WEGMANN:

1 Q Mr. Garrison has been quoted as having stated, 57  
2 and I quote, "There is no way Clay Shaw  
3 can get an acquittal." Do you agree with  
4 that statement?

5 MR. BERTEL:

6 Same objection; same reasons.

7 A (No Response.)

8 BY MR. EDWARD WEGMANN:

9 Q Do you have any employment other than that as  
10 an Assistant District Attorney?

11 A No.

12 Q Do you devote all of your time to the fulfillment  
13 of your duties as an Executive Assistant  
14 District Attorney for the Parish of  
15 Orleans?

16 A Yes, I do.

17 Q Have you during the course of the Garrison-  
18 Kennedy assassination probe conferred  
19 with Judge Haggerty with respect to the  
20 case of the State of Louisiana versus  
21 Clay L. Shaw out of the presence of  
22 Mr. Shaw's defense counsel?

23 MR. BERTEL:

24 I object on the ground of relevancy and  
25 for the reasons previously given, in

1 addition to which the question is  
2 entirely too broad to elicit a re-  
3 sponsive answer.

4 A (No Response.)

5 BY MR. EDWARD WEGMANN:

6 Q Have you at any time discussed the case of  
7 State versus Shaw with Judge Haggerty  
8 outside of the presence of his defense  
9 counsel?

10 MR. BERTEL:

11 Same objection; same reasons.

12 A (No Response.)

13 BY MR. EDWARD WEGMANN:

14 Q Do you know whether or not any of your asso-  
15 ciates in the District Attorney's Office  
16 have at any time discussed the case of  
17 State versus Shaw with Judge Haggery  
18 outside the present of defense counsel?

19 MR. BERTEL:

20 Same objection; same reasons.

21 A (No Response.)

22 BY MR. EDWARD WEGMANN:

23 Q Has Judge Haggerty ever discussed the Shaw  
24 case with you outside of the presence of  
25 defense counsel?

1 MR. BERTEL:

2 Same objection; same reasons.

3 A (No Response.)

4 BY MR. EDWARD WEGMANN:

5 Q Is it now and has it been the practice of your-  
6 self and the District Attorney's office  
7 in the past to keep Judge Haggerty and  
8 all of the judges of the Criminal District  
9 Court constantly aware of all developments  
10 in connection with the Garrison-Kennedy  
11 assassination probe?

12 MR. BERTEL:

13 Same objection; same reasons.

14 A (No Response.)

15 BY MR. EDWARD WEGMANN:

16 Q Have you at any time discussed the Shaw case  
17 with Judge Bernard Baggett of the Criminal  
18 District Court for the Parish of Orleans  
19 outside of the presence of Mr. Shaw's  
20 defense counsel?

21 MR. BERTEL:

22 Same objection; same reasons.

23 A (No Response.)

24 BY MR. EDWARD WEGMANN:

25 Q Have you ever participated in a discussion with

1 Judge Baggett of the Shaw case -- scratch 60  
2 that, please.

3 Have you ever participated in a dis-  
4 cussion of any of your associates and/or  
5 Garrison with Judge Baggett of the Shaw  
6 case outside of the presence of defense  
7 counsel?

8 MR. BERTEL:

9 Same objection; same reasons.

10 A (No Response.)

11 BY MR. EDWARD WEGMANN:

12 Q Is it not a fact that you and one or more of  
13 your associates have on more than one  
14 occasion discussed the Shaw case with  
15 Judge Baggett outside of the presence of  
16 defense counsel?

17 MR. BERTEL:

18 Same objection; same reasons.

19 A (No Response.)

20 BY MR. EDWARD WEGMANN:

21 Q Is it not a fact that you and one or more of  
22 your associates have since the very incep-  
23 tion of the Garrison-Kennedy assassination  
24 probe kept Judge Baggett, Judge O'Hara,  
25 Judge Braniff and other members of the

1 bench of the Criminal District Court for 61  
2 the Parish of Orleans advised of all  
3 developments in the Garrison-Kennedy  
4 assassination probe?

5 MR. BERTEL:

6 Same objection; same reasons.

7 A (No Response.)

8 BY MR. EDWARD WEGMANN:

9 Q Did you at any time discuss the Shaw case or  
10 the Garrison-Kennedy assassination probe  
11 with Judge Baggett or Judge O'Hara or  
12 Judge Braniff outside of the presence of  
13 defense counsel?

14 MR. BERTEL:

15 Same objection; same reasons.

16 A (No Response.)

17 BY MR. EDWARD WEGMANN:

18 Q Is it not a fact that you and/or more, that  
19 you and/or one or more of your associates  
20 did prior to March 1, 1967 and subsequent  
21 thereto furnish various memoranda to  
22 Judge Baggett, Judge O'Hara and Judge  
23 Braniff in connection with the Shaw case?

24 MR. BERTEL:

25 Same objection; same reasons.

1 A (No Response.)

2 BY MR. EDWARD WEGMANN:

3 Q Is it not a fact that you did that in connec-  
4 tion with the Kennedy assassination probe?

5 MR. BERTEL:

6 Same objection; same reasons.

7 A (No Response.)

8 BY MR. EDWARD WEGMANN:

9 Q Since the Grand Jury indicted Shaw, is it not a  
10 fact that you and one or more of the  
11 members of Garrison's staff have furnished  
12 Judge Haggerty with written memorandums  
13 with respect to the Shaw case?

14 MR. BERTEL:

15 Same objection; same reasons.

16 A (No Response.)

17 BY MR. EDWARD WEGMANN:

18 Q Is it not a fact that since the indictment of  
19 Shaw by the Orleans Parish Grand Jury and  
20 the allotment of the case to the -- to  
21 Judge Haggerty that you and/or one or more  
22 of your associates or former associates  
23 has furnished memorandums or statements  
24 of fact to Judge Haggerty, copies of which  
25 are not in the record of the proceedings,

1                   copies of which were not furnished to  
2                   defense counsel?

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3           MR. BERTEL:

4                   Same objection; same reasons.

5           A       (No Response.)

6           MR. WILLIAM WEGMANN:

7                   Let's recess for just a short moment.

8                   (Whereupon a short recess was taken.)

9           BY MR. EDWARD WEGMANN:

10          Q       Do you know Mark Lane?

11          A       Yes.

12          Q       Where does he live?

13          A       Somewhere in the French Quarter; I don't know  
14                   where. I have never been to his house or  
15                   apartment.

16          Q       Has he ever been to the District Attorney's  
17                   office?

18          MR. BERTEL:

19                   Same objection; same reasons.

20          A       (No Response.)

21          BY MR. EDWARD WEGMANN:

22          Q       How often does he come to the District Attorney's  
23                   office?

24          MR. BERTEL:

25                   Same objection; same reasons.

1 A (No Response.)

2 BY MR. EDWARD WEGMANN:

3 Q Does he have access to the Master File and the  
4 other records kept by your office in con-  
5 nection with the Shaw case?

6 MR. BERTEL:

7 Same objection; same reasons.

8 A (No Response.)

9 BY MR. EDWARD WEGMANN:

10 Q In connection with the Garrison-Kennedy  
11 assassination probe?

12 MR. BERTEL:

13 Same objection; same reasons.

14 A (No Response.)

15 BY MR. EDWARD WEGMANN:

16 Q Is it not a fact that he does have access to  
17 these records?

18 MR. BERTEL:

19 Same objection; same reasons.

20 A (No Response.)

21 BY MR. EDWARD WEGMANN:

22 Q Do you know Harold Weisburg?

23 A Yes.

24 Q Where does he live?

25 A He has moved recently. Where does he live now?

1 In Maryland.

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2 MR. SCIAMBRA:

3 He lives in, somewhere in Maryland.

4 THE WITNESS:

5 Somewhere in the State of Maryland.

6 BY MR. EDWARD WEGMANN:

7 Q Somewhere in the State of Maryland. Did you  
8 meet Weisburg?

9 MR. BERTEL:

10 Same objection; same reasons.

11 A (No response.)

12 BY MR. EDWARD WEGMANN:

13 Q Where did you meet Weisburg?

14 MR. BERTEL:

15 Same objection; same reasons.

16 A (No Response.)

17 BY MR. EDWARD WEGMANN:

18 Q How often have you seen Weisburg?

19 MR. BERTEL:

20 Same objection; same reasons.

21 A (No Response.)

22 BY MR. EDWARD WEGMANN:

23 Q Where did you meet Mark Lane?

24 MR. BERTEL:

25 Same objection; same reasons.

1 A (No Response.)

2 BY MR. EDWARD WEGMANN:

3 Q How long have you known Mark Lane?

4 MR. BERTEL:

5 Same objection; same reasons.

6 A (No Response.)

7 BY MR. EDWARD WEGMANN:

8 Q Do you know Edward Epstein?

9 A I think I met him once.

10 Q Did Garrison assist Mark Lane and collaborate  
11 with him in having Lane's Rushed Judgment  
12 Film shown in the local theatres at a  
13 time when the preliminary hearing had in  
14 the Shaw matter was going on?

15 MR. BERTEL:

16 Same objection; same reasons.

17 A (No response.)

18 BY MR. EDWARD WEGMANN:

19 Q Isn't it a fact that he did do just that?

20 MR. BERTEL:

21 Same objection; same reasons.

22 A (No Response.)

23 BY MR. EDWARD WEGMANN:

24 Q Did you participate on behalf of the State in  
25 the preliminary hearing had in the Shaw

1 matter?

2 A Yes.

3 Q What was your role?

4 A Trial Counsel.

5 Q As a matter of fact, you were chief prosecutor,  
6 were you not?

7 A No, I was not.

8 Q Who was Chief Prosecutor?

9 A Jim Garrison.

10 Q Did you take an active part in the conduct of  
11 the preliminary hearing?

12 A Yes, I did. It is a matter of record.

13 Q You will recall that at the preliminary hearing  
14 the State exhibited to one or more wit-  
15 nesses and to The Court a rifle having a  
16 telescopic sight, do you not?

17 MR. BERTEL:

18 Same objection; same reasons.

19 A (No Response.)

20 BY MR. EDWARD WEGMANN:

21 Q Where did the State acquire the rifle which  
22 was exhibited to one or more witnesses  
23 and to the three-judge-court during the  
24 conduct of the preliminary hearing had in  
25 the Shaw matter?

1 MR. BERTEL:

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2 Same objection; same reasons. In addition  
3 to this whole line of questioning,  
4 the record of the preliminary hearing  
5 speaks for itself.

6 A (No Response.)

7 BY MR. EDWARD WEGMANN:

8 Q You were aware of the fact when you handled  
9 that rifle in the courtroom that the rifle  
10 had no evidentiary value, were you not?

11 MR. BERTEL:

12 Same objection; same reasons.

13 A (No Response.)

14 BY MR. EDWARD WEGMANN:

15 Q Were you always aware of the fact that was a  
16 phony rifle, were you not?

17 MR. BERTEL:

18 Same objection; same reasons. In addition,  
19 the question is entirely too broad.

20 A (No Response.)

21 BY MR. EDWARD WEGMANN:

22 Q Do you know what the word "phony" means,  
23 Mr. Alcock?

24 MR. BERTEL:

25 Same objection; same reasons.

1 MR. EDWARD WEGMANN:

2 Do you consider that question to be  
3 relevant, Counsel?

4 MR. BERTEL:

5 I have given my reasons.

6 A (No Response.)

7 BY MR. EDWARD WEGMANN:

8 Q Has Garrison pursued an active campaign to  
9 precondition prospective jurors so as to  
10 create a prejudicial feeling against  
11 Shaw?

12 MR. BERTEL:

13 Same objection; same reasons.

14 A (No Response.)

15 BY MR. EDWARD WEGMANN:

16 Q Have you participated in that campaign?

17 MR. BERTEL:

18 Same objection; same reasons.

19 A (No Response.)

20 BY MR. EDWARD WEGMANN:

21 Q What role have you played in that campaign?

22 MR. BERTEL:

23 Same objection; same reasons.

24 A (No Response.)

25 BY MR. EDWARD WEGMANN:

1 Q Do you believe that such an attitude exists in 70  
2 the minds of the public?

3 MR. BERTEL:

4 Same objection; same reasons.

5 A (No Response.)

6 BY MR. EDWARD WEGMANN:

7 Q What is your opinion as to whether or not such  
8 an attitude exists?

9 MR. BERTEL:

10 Same objection; same reasons.

11 A (No Response.)

12 BY MR. EDWARD WEGMANN:

13 Q Coming back again to the preliminary hearing,  
14 did you participate in any discussions  
15 with Garrison as to whether or not the  
16 State should seek such a preliminary  
17 hearing?

18 MR. BERTEL:

19 Same objection; same reasons.

20 A (No Response.)

21 BY MR. EDWARD WEGMANN:

22 Q Did you concur in Garrison's opinion that the  
23 preliminary hearing should be sought?

24 MR. BERTEL:

25 Same objection; same reasons.

1 A (No Response.)

2 BY MR. EDWARD WEGMANN:

3 Q Did you approve of Garrison's actions in seek-  
4 ing such a preliminary hearing?

5 MR. BERTEL:

6 Same objection; same reasons.

7 A (No Response.)

8 BY MR. EDWARD WEGMANN:

9 Q In the approximately five years that you have  
10 been associated with the Office of the  
11 Orleans Parish District Attorney, and in  
12 particular with your experience as a  
13 prosecutor of capital cases and other  
14 major cases, have you as a prosecutor for  
15 the State ever sought a preliminary hear-  
16 ing in any such cases?

17 A No.

18 Q Have you ever been to any seminars held either  
19 here or elsewhere for the purpose of  
20 training assistant district attorneys?

21 A Yes.

22 Q During any of these seminars was it ever  
23 recommended to the prosecuting attorneys  
24 that they seek preliminary hearings in  
25 connection with the important cases,

capital cases, or other cases?

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A In certain circumstances, yes.

Q Under what circumstances?

A Where you have a situation where you have critical witnesses who are transients, have to leave the jurisdiction or someone who is quite elderly might be a critical witness and you would like that person's testimony taken in a preliminary hearing for perpetuation purposes and for use on trial should that person die or should the transients leave the jurisdiction.

Q Did any transients testify in the preliminary hearing conducted in the Shaw case?

MR. BERTEL:

Same objection; same reasons, in addition to which the transcript of the hearing speaks for itself.

A (No Response.)

BY MR. EDWARD WEGMANN:

Q Did any elderly individuals testify or were any elderly individuals called as witnesses for the State in the Shaw preliminary hearing?

MR. BERTEL:

1 Same objection; same reasons.

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2 A (No Response.)

3 BY MR. EDWARD WEGMANN:

4 Q Were these the reasons given by you, or the  
5 recommendations previously stated by you  
6 from some seminar, were they the basis  
7 for the District Attorney's Office seeking  
8 a preliminary hearing in the Shaw case?

9 MR. BERTEL:

10 Same objection; same reasons.

11 A (No Response.)

12 BY MR. EDWARD WEGMANN:

13 Q Do you believe the -- Clay Shaw to be innocent  
14 or guilty -- scratch that. Do you believe  
15 Clay Shaw to be guilty of the charges  
16 filed against him by the State of  
17 Louisiana?

18 MR. BERTEL:

19 Same objection; same reasons.

20 A (No Response.)

21 BY MR. EDWARD WEGMANN:

22 Q Do you believe Clay Shaw to be innocent of the  
23 charges filed against him by the State?

24 MR. BERTEL:

25 Same objection; same reasons.

1 A (No Response.)

2 BY MR. EDWARD WEGMANN:

3 Q Do you hae any opinion as to the guilt or in-  
4 nocence of Shaw?

5 MR. BERTEL:

6 Same objection; same reasons.

7 A (No Response.)

8 BY MR. EDWARD WEGMANN:

9 Q Do you or have you any reason to believe that  
10 Garrison is determined to get a conviction  
11 of the Shaw case regardless of Clay Shaw's  
12 guilt or innocence?

13 MR. BERTEL:

14 Same objection; same reasons.

15 A (No Response.)

16 BY MR. EDWARD WEGMANN:

17 Q Do you approve of the methods which have been  
18 used by Garrison in the Shaw case?

19 MR. BERTEL:

20 Same objection; same reasons.

21 A (No Response.)

22 BY MR. EDWARD WEGMANN:

23 Q Do you approve of the methods used by Garrison  
24 to date in connection with his Kennedy  
25 assassination probe?

1 MR. BERTEL:

2 Same objection; same reasons.

3 A (No Response.)

4 BY MR. EDWARD WEGMANN:

5 Q On March 5, 1968, at which time you were in  
6 court arguing on behalf of the State and  
7 opposing a motion, and opposing an appli-  
8 cation for subpoena duces tecum for the  
9 production of documents sought by the  
10 Defense, by Mr. Garrison issued a press  
11 release. Are you familiar with that press  
12 release?

13 MR. BERTEL:

14 Same objection; same reasons.

15 A (No Response.)

16 BY MR. EDWARD WEGMANN:

17 Q Have you ever read the press release?

18 MR. BERTEL:

19 Same objection; same reasons.

20 A (No Response.)

21 BY MR. EDWARD WEGMANN:

22 Q I show you a copy of the press release and  
23 ask you to read it and familiarize your-  
24 self with its contents (handing document  
25 to witness)? Have you read the press

1 release?

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2 A Yes.

3 Q Have you ever read it previously?

4 A Yes.

5 Q I quote from page 2, as well as from page 3  
6 of that press release, "Unfortunately,  
7 the legal profession always seems to have  
8 a few attorneys who confuse trick shots  
9 with practicing law and who do not hesi-  
10 tate to distort facts in their legal  
11 pleadings in order to create false pic-  
12 tures and confuse the issue."

13 Do you agree with that statement?

14 MR. BERTEL:

15 Same objection; same reasons.

16 A (No Response.)

17 BY MR. EDWARD WEGMANN:

18 Q Do you concur in that statement?

19 MR. BERTEL:

20 Same objection; same reasons.

21 A (No Response.)

22 BY MR. EDWARD WEGMANN:

23 Q Did you write that statement?

24 MR. BERTEL:

25 Same objection; same reasons.

1 A (No Response.)

2 BY MR. EDWARD WEGMANN:

3 Q For the benefit of The Court, please advise us  
4 and tell The Court in what manner, if at  
5 all, and when defense counsel for Shaw  
6 used trick shots during their defense of  
7 Mr. Shaw.

8 MR. BERTEL:

9 Which court do you have reference to?

10 MR. EDWARD WEGMANN:

11 I will let you determine that for your-  
12 self, Mr. Bertel.

13 MR. BERTEL:

14 There is no court here, so he can't  
15 address any court.

16 MR. EDWARD WEGMANN:

17 Does the witness refuse to answer the  
18 question?

19 MR. BERTEL:

20 I object to it on the ground you have  
21 asked the witness to please tell  
22 The Court. There is no court here.

23 A (No Response.)

24 BY MR. EDWARD WEGMANN:

25 Q Mr. Alcock, do you refuse to answer the

question?

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MR. BERTEL:

We object and I instruct the witness not  
to answer the question on the ground  
I have just given.

BY MR. EDWARD WEGMANN:

Q Mr. Alcock, do you refuse to answer the question?

A On advice of counsel, yes.

Q In your experience with Mr. Dymond, Mr. Wegmann  
and myself in the Shaw case, have we in  
your opinion used any trick shots on be-  
half of Mr. Shaw?

MR. BERTEL:

Same objection; same reasons.

A (No Response.)

BY MR. EDWARD WEGMANN:

Q Have we distorted the facts in our pleadings?

MR. BERTEL:

Same objection; same reasons.

A (No Response.)

BY MR. EDWARD WEGMANN:

Q Have we created any false pictures?

MR. BERTEL:

Same objection; same reasons.

A (No Response.)

1 BY MR. EDWARD WEGMANN:

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2 Q Again referring to this press release, and in  
3 particular page 3 thereof, I quote, "It  
4 is this ready willingness of a few lawyers  
5 to lie for a fee which gives the legal  
6 profession such a black name among many  
7 laymen."

8 Do you concur in that statement?

9 MR. BERTEL:

10 Same objection; same reasons.

11 A (No Response.)

12 BY MR. EDWARD WEGMANN:

13 Q Do you agree with that statement?

14 MR. BERTEL:

15 Same objection; same reasons.

16 A (No Response.)

17 BY MR. EDWARD WEGMANN:

18 Q Did you write that statement?

19 MR. BERTEL:

20 Same objection; same reasons.

21 A (No Response.)

22 BY MR. EDWARD WEGMANN:

23 Q Cite one or more instances, if any there are,  
24 in which you know that either Mr. Dymond,  
25 Mr. William J. Wegmann or myself have lied

1                   for a fee.

2           MR. BERTEL:

3                   Same objection; same reasons.

4           A     (No Response.)

5           BY MR. EDWARD WEGMANN:

6           Q     Again quoting from this press release, "Per-  
7                   haps the best way to reveal the fraudu-  
8                   lence of the defense attorneys' charges  
9                   in this instance is to make available one  
10                  of the documents which they have subpoenaed  
11                  in their effort to make it appear that  
12                  a sinister prosecutor is attempting to  
13                  railroad their client."

14                   Did you write that statement?

15          MR. BERTEL:

16                   Same objection; same reasons.

17          A     (No Response.)

18          BY MR. EDWARD WEGMANN:

19          Q     Who is the sinister prosecutor who is referred  
20                  to in that statement?

21          MR. BERTEL:

22                   Same objection; same reasons.

23          A     (No Response.)

24          BY MR. EDWARD WEGMANN:

25          Q     Is the District Attorney's Office for the

1 Parish of Orleans attempting to railroad 81

2 Shaw?

3 MR. BERTEL:

4 Same objection; same reasons.

5 A (No Response.)

6 BY MR. EDWARD WEGMANN:

7 Q You will recall that you did oppose in open  
8 court the documents sought by the subpoena  
9 duces tecum in question, do you not?

10 A Yes, I recall that.

11 Q Did you oppose the application under instruc-  
12 tions from Garrison?

13 MR. BERTEL:

14 Same objection; same reasons.

15 THE WITNESS:

16 I might clarify the record, although I  
17 haven't responded heretofore, I did  
18 not write that press release.

19 BY MR. EDWARD WEGMANN:

20 Q Did you concur in its release?

21 MR. BERTEL:

22 Same objection; same reasons.

23 A (No Response.)

24 BY MR. EDWARD WEGMANN:

25 Q You have heretofore stated that during your

1 experience as an Assistant District  
2 Attorney you have prosecuted many claims  
3 of all kinds; is that not correct?

4 A That is correct.

5 Q Has it always been the practice of the District  
6 Attorney's Office to submit witnesses to  
7 hypnosis?

8 MR. BERTEL:

9 Same objection; same reasons.

10 A (No Response.)

11 BY MR. EDWARD WEGMANN:

12 Q Has it always been their practice to submit  
13 witnesses to sodium pentathol?

14 MR. BERTEL:

15 Same objection; same reasons.

16 A (No Response.)

17 BY MR. EDWARD WEGMANN:

18 Q I ask you the same question with respect to  
19 the use of the polygraph.

20 MR. BERTEL:

21 Same objection; same reasons.

22 A (No Response.)

23 BY MR. EDWARD WEGMANN:

24 Q When did this practice start in the Orleans  
25 Parish District Attorney's Office?

1 MR. BERTEL:

2 Same objection; same reasons.

3 A (No Response.)

4 BY MR. EDWARD WEGMANN:

5 Q Who instituted the practice?

6 MR. BERTEL:

7 Same objection; same reasons.

8 A (No Response.)

9 BY MR. EDWARD WEGMANN:

10 Q Who suggested it?

11 MR. BERTEL:

12 Same objection; same reasons.

13 A (No Response.)

14 BY MR. EDWARD WEGMANN:

15 Q What procedures are followed?

16 MR. BERTEL:

17 Same objection; same reasons.

18 A (No Response.)

19 BY MR. EDWARD WEGMANN:

20 Q When are these procedures used?

21 MR. BERTEL:

22 Same objection; same reasons.

23 A (No Response.)

24 BY MR. EDWARD WEGMANN:

25 Q Who determines when the witness is to be

1                   subjected to hypnosis, sodium pentathol  
2                   or the polygraph?

3           MR. BERTEL:

4                   Same objection; same reasons.

5           A     (No Response.)

6           BY MR. EDWARD WEGMANN:

7           Q     In what other cases in which you have partici-  
8                   pated have witnesses been subjected to  
9                   hypnosis?

10          MR. BERTEL:

11                  Same objection; same reasons.

12          A     (No Response.)

13          BY MR. EDWARD WEGMANN:

14          Q     And what other cases that you have prosecuted  
15                  have the witnesses been subjected to  
16                  sodium pentathol?

17          MR. BERTEL:

18                  Same objection; same reasons.

19          A     (No Response.)

20          BY MR. EDWARD WEGMANN:

21          Q     In what other cases that you have prosecuted  
22                  have the witnesses been subjected to the  
23                  polygraph?

24          MR. BERTEL:

25                  Same objection; same reasons.

1 A (No Response.)

2 BY MR. EDWARD WEGMANN:

3 Q Aside from the Shaw case, have you ever in any  
4 other case which you have prosecuted used  
5 the testimony of a synthetically-created  
6 witness?

7 MR. BERTEL:

8 Same objection; same reason, particularly  
9 to the form of the question.

10 A (No Response.)

11 BY MR. EDWARD WEGMANN:

12 Q Have you ever used a synthetically created  
13 witness in the prosecution of a defendant?

14 MR. BERTEL:

15 Same objection; same reasons.

16 A (No Response.)

17 BY MR. EDWARD WEGMANN:

18 Q How often was Perry Raymond Russo submitted to  
19 sodium pentathol?

20 MR. BERTEL:

21 Same objection; same reasons.

22 A (No Response.)

23 BY MR. EDWARD WEGMANN:

24 Q When, where, when and where was Russo submitted  
25 to sodium pentathol?

1 MR. BERTEL:

2 Same objection; same reasons.

3 A (No Response.)

4 BY MR. EDWARD WEGMANN:

5 Q Who ordered Russo to be submitted to sodium  
6 pentathol?

7 MR. BERTEL:

8 Same objection; same reasons.

9 A (No Response.)

10 BY MR. EDWARD WEGMANN:

11 Q Why did the order issue?

12 MR. BERTEL:

13 Same objection; same reasons.

14 A (No Response.)

15 BY MR. EDWARD WEGMANN:

16 Q Were any transcripts made of the interrogation  
17 of Russo while he was under sodium  
18 pentathol?

19 MR. BERTEL:

20 Same objection; same reasons.

21 A (No Response.)

22 BY MR. EDWARD WEGMANN:

23 Q What were the results of the sodium pentathol  
24 test?

25 MR. BERTEL:

1 Same objection; same reasons.

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2 A (No Response.)

3 BY MR. EDWARD WEGMANN:

4 Q When and where was Russo hypnotized?

5 MR. BERTEL:

6 Same objection; same reasons.

7 A (No Response.)

8 BY MR. EDWARD WEGMANN:

9 Q How often was Russo hypnotized?

10 MR. BERTEL:

11 Same objection; same reasons.

12 A (No Response.)

13 BY MR. EDWARD WEGMANN:

14 Q Who ordered him to be hypnotized?

15 MR. BERTEL:

16 Same objection; same reasons.

17 A (No Response.)

18 BY MR. EDWARD WEGMANN:

19 Q Why was he ordered hypnotized?

20 MR. BERTEL:

21 Same objection; same reasons.

22 A (No Response.)

23 BY MR. EDWARD WEGMANN:

24 Q Was any transcript made of his interrogation  
25 while under hypnosis?

1 MR. BERTEL:

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2 Same objection; same reasons.

3 A (No Response.)

4 BY MR. EDWARD WEGMANN:

5 Q If I told you that a transcript was made of  
6 his interrogation while he was under  
7 hypnosis, would you deny it?

8 MR. BERTEL:

9 Same objection; same reasons.

10 A (No Response.)

11 BY MR. EDWARD WEGMANN:

12 Q Do you deny that a transcript was made while  
13 he was under hypnosis?

14 MR. BERTEL:

15 Same objection; same reasons.

16 A (No Response.)

17 BY MR. EDWARD WEGMANN:

18 Q Was the testimony of Perry Raymond Russo as  
19 elicited from him in the Shaw preliminary  
20 hearing synthetically created?

21 MR. BERTEL:

22 Same objection; same reasons.

23 A (No Response.)

24 BY MR. EDWARD WEGMANN:

25 Q I ask you was the testimony of Perry Raymond

1 Russo as elicited from him before the  
2 Grand Jury synethetically created?

3 MR. BERTEL:

4 Same objection; same reasons.

5 A (No Response.)

6 BY MR. EDWARD WEGMANN:

7 Q Was Russo submitted to hypnosis, sodium penta-  
8 thol or the polygraph prior to the time  
9 he testified before the Grand Jury?

10 MR. BERTEL:

11 Same objection; same reasons.

12 A (No Response.)

13 BY MR. EDWARD WEGMANN:

14 Q What other witnesses have been hypnotized by  
15 your office or under the directions of  
16 your office in connection with the Shaw  
17 case?

18 MR. BERTEL:

19 Same objection; same reasons.

20 A (No Response.)

21 BY MR. EDWARD WEGMANN:

22 Q Who is Clay Bertrand?

23 MR. BERTEL:

24 Same objection; same reasons.

25 A (No Response.)

1 BY MR. EDWARD WEGMANN:

2 Q Who is Clem Bertrand?

3 MR. BERTEL:

4 Same objection; same reasons.

5 A (No Response.)

6 BY MR. EDWARD WEGMANN:

7 Q Who is Jim Garrison?

8 A District Attorney, Orleans Parish.

9 Q Who is Jim Alcock?

10 A Executive Assistant District Attorney, Orleans  
11 Parish.

12 Q Is there any provision in the law which  
13 requires an individual to subject himself  
14 to hypnosis, sodium pentathol or the  
15 polygraph when being interrogated by the  
16 District Attorney's Office?

17 MR. BERTEL:

18 Same objection; same reasons.

19 A (No Response.)

20 BY MR. EDWARD WEGMANN:

21 Q Is there any provision in the law which prohibits  
22 such procedures?

23 MR. BERTEL:

24 Same objection; same reasons.

25 A (No Response.)

1 BY MR. EDWARD WEGMANN:

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2 Q Is the use of hypnosis, sodium pentathol and  
3 the polygraph standard procedure for the  
4 District Attorney's Office?

5 MR. BERTEL:

6 Same objection; same reasons.

7 A (No Response.)

8 BY MR. EDWARD WEGMANN:

9 Q Did you knowingly cause Russo to testify  
10 falsely before the Grand Jury?

11 MR. BERTEL:

12 Same objection; same reasons.

13 A (No Response.)

14 BY MR. EDWARD WEGMANN:

15 Q Do you know of any other jurisdictions wherein  
16 District Attorneys and their staff used  
17 such procedures in the fulfillment of  
18 their duties as prosecutors?

19 MR. BERTEL:

20 Same objection; same reasons.

21 A (No Response.)

22 BY MR. EDWARD WEGMANN:

23 Q Did you approve the use of these procedures as  
24 to Perry Raymond Russo?

25 MR. BERTEL:

1 Same objection; same reasons.

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2 A (No Response.)

3 BY MR. EDWARD WEGMANN:

4 Q Did you approve of the use of these procedures  
5 to any other witness?

6 MR. BERTEL:

7 Same objection; same reasons.

8 A (No Response.)

9 BY MR. EDWARD WEGMANN:

10 Q Do you not know of your own knowledge that  
11 Perry Raymond Russo's testimony was  
12 synthetically created?

13 MR. BERTEL:

14 Same objection; same reasons.

15 A (No Response.)

16 BY MR. EDWARD WEGMANN:

17 Q I refer you now to the period December 24, 1966  
18 and ask you if you were present at the time  
19 Clay Shaw was interrogated by you or other  
20 members of the District Attorney's Office?

21 MR. BERTEL:

22 Same objection; same reasons.

23 A (No Response.)

24 BY MR. EDWARD WEGMANN:

25 Q Who was present when he was interrogated?

1 MR. BERTEL:

2 Same objection; same reasons.

3 A (No Response.)

4 BY MR. EDWARD WEGMANN:

5 Q Who conducted the interrogation?

6 MR. BERTEL:

7 Same objection; same reasons.

8 A (No Response.)

9 BY MR. EDWARD WEGMANN:

10 Q How long did the interrogation last?

11 MR. BERTEL:

12 Same objection; same reasons.

13 A (No Response.)

14 BY MR. EDWARD WEGMANN:

15 Q Did Mr. Shaw come in voluntarily or was he  
16 subpoenaed?

17 MR. BERTEL:

18 Same objection; same reasons.

19 A (No Response.)

20 BY MR. EDWARD WEGMANN:

21 Q Why was Mr. Shaw interrogated?

22 MR. BERTEL:

23 Same objection; same reasons.

24 A (No Response.)

25 BY MR. EDWARD WEGMANN:

1 Q Who suggested that he be interrogated?

2 MR. BERTEL:

3 Same objection; same reasons.

4 A (No Response.)

5 BY MR. EDWARD WEGMANN:

6 Q On what subjects was he interrogated?

7 MR. BERTEL:

8 Same objection; same reasons.

9 A (No Response.)

10 BY MR. EDWARD WEGMANN:

11 Q Prior to his interrogation was Mr. Shaw  
12 advised of his constitutional rights?

13 MR. BERTEL:

14 Same objection; same reasons.

15 A (No Response.)

16 BY MR. EDWARD WEGMANN:

17 Q Was his attorney present on December 24, 1966  
18 when he was interrogated?

19 MR. BERTEL:

20 Same objection; same reasons.

21 A (No Response.)

22 BY MR. EDWARD WEGMANN:

23 Q If he was advised of his constitutional rights,  
24 who advised him?

25 MR. BERTEL:

1 Same objection; same reasons.

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2 A (No Response.)

3 BY MR. EDWARD WEGMANN:

4 Q You will recall that on March 1, 1967 Shaw was  
5 interrogated in the District Attorney's  
6 Office, do you not?

7 MR. BERTEL:

8 Same objection; same reasons.

9 A (No Response.)

10 BY MR. EDWARD WEGMANN:

11 Q You mean to tell me that you do not recall  
12 Shaw having been interrogated by the  
13 District Attorney's Office on March 1?

14 MR. BERTEL:

15 Same objection; same reasons.

16 A (No Response.)

17 BY MR. EDWARD WEGMANN:

18 Q Were you present when Shaw was interrogated on  
19 March 1, 1967 in the District Attorney's  
20 Office?

21 MR. BERTEL:

22 Same objection; same reasons.

23 A (No Response.)

24 BY MR. EDWARD WEGMANN:

25 Q Who was present during the interrogation?

1 MR. BERTEL:

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2 Same objection; same reasons.

3 A (No Response.)

4 BY MR. EDWARD WEGMANN:

5 Q Who conducted the interrogation?

6 MR. BERTEL:

7 Same objection; same reasons.

8 A (No Response.)

9 BY MR. EDWARD WEGMANN:

10 Q Was a transcript taken of the interrogation?

11 MR. BERTEL:

12 Same objection; same reasons.

13 A (No Response.)

14 BY MR. EDWARD WEGMANN:

15 Q What was the length of the interrogation?

16 MR. BERTEL:

17 Same objection; same reasons.

18 A (No Response.)

19 BY MR. EDWARD WEGMANN:

20 Q Did Shaw come in voluntarily or was he

21 subpoenaed?

22 MR. BERTEL:

23 Same objection; same reasons.

24 A (No Response.)

25 BY MR. EDWARD WEGMANN:

1 Q Why was he summoned?

2 MR. BERTEL:

3 Same objection; same reasons.

4 A (No Response.)

5 BY MR. EDWARD WEGMANN:

6 Q By whom?

7 MR. BERTEL:

8 Same objection; same reasons.

9 A (No Response.)

10 BY MR. EDWARD WEGMANN:

11 Q Who suggested it?

12 MR. BERTEL:

13 Same objection; same reasons.

14 A (No Response.)

15 BY MR. EDWARD WEGMANN:

16 Q What was the length of the interrogation?

17 MR. BERTEL:

18 Same objection; same reasons.

19 A (No Response.)

20 BY MR. EDWARD WEGMANN:

21 Q On what subjects was he interrogated?

22 MR. BERTEL:

23 Same objection; same reasons.

24 A (No Response.)

25 BY MR. EDWARD WEGMANN:

1 Q Was he advised of his constitutional rights?

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2 MR. BERTEL:

3 Same objection; same reasons.

4 A (No Response.)

5 BY MR. EDWARD WEGMANN:

6 Q If he was advised of his constitutional rights  
7 who advised him?

8 MR. BERTEL:

9 Same objection; same reasons.

10 A (No Response.)

11 BY MR. EDWARD WEGMANN:

12 Q What advice did they give him?

13 MR. BERTEL:

14 Same objection; same reasons.

15 A (No Response.)

16 BY MR. EDWARD WEGMANN:

17 Q Was Mr. Shaw asked to take sodium pentathol?

18 MR. BERTEL:

19 Same objection; same reasons.

20 A (No Response.)

21 BY MR. EDWARD WEGMANN:

22 Q Was he asked to subject himself to hypnosis?

23 MR. BERTEL:

24 Same objection; same reasons.

25 A (No Response.)

1 BY MR. EDWARD WEGMANN:

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2 Q Was he asked to take a polygraph test?

3 MR. BERTEL:

4 Same objection; same reasons.

5 A (No Response.)

6 BY MR. EDWARD WEGMANN:

7 Q If he was asked to take any of these tests or  
8 subject himself to any of these procedures,  
9 who asked him to do so and why?

10 MR. BERTEL:

11 Same objection; same reasons.

12 A (No Response.)

13 BY MR. EDWARD WEGMANN:

14 Q For what purpose was he asked to subject him-  
15 self to these procedures?

16 MR. BERTEL:

17 Same objection; same reasons.

18 A (No Response.)

19 BY MR. EDWARD WEGMANN:

20 Q When Mr. Shaw (sic) did undergo sodium penta-  
21 thol, what did he say?

22 MR. BERTEL:

23 Same objection; same reasons.

24 A (No Response.)

25 BY MR. EDWARD WEGMANN:

1 Q When Mr. Shaw (sic) underwent hypnosis, what 100  
2 did he say?  
3 MR. BERTEL:  
4 Same objection; same reasons.  
5 A (No Response.)  
6 BY MR. EDWARD WEGMANN:  
7 Q Was the polygraph test successful?  
8 MR. BERTEL:  
9 Same objection; same reasons.  
10 A (No Response.)  
11 BY MR. EDWARD WEGMANN:  
12 Q Who ordered Clay Shaw arrested on March 1,  
13 1967?  
14 MR. BERTEL:  
15 Same objection; same reasons.  
16 A (No Response.)  
17 BY MR. EDWARD WEGMANN:  
18 Q Who ordered him to be placed in handcuffs?  
19 MR. BERTEL:  
20 Same objection; same reasons.  
21 A (No Response.)  
22 BY MR. EDWARD WEGMANN:  
23 Q What was the purpose of the handcuffs?  
24 MR. BERTEL:  
25 Same objection; same reasons.

1 A (No Response.)

2 BY MR. EDWARD WEGMANN:

3 Q Is this standard procedure in the District  
4 Attorney's Office?

5 MR. BERTEL:

6 Same objection; same reasons.

7 A (No Response.)

8 BY MR. EDWARD WEGMANN:

9 Q Is it the custom and the practice of the  
10 District Attorney's Office to handcuff  
11 an individual who has been arrested even  
12 though that individual has appeared for  
13 interrogation voluntarily as a reputable  
14 citizen, is surrounded by many policemen,  
15 assistant district attorneys carrying  
16 pistols, and others, and there is no reason  
17 given and no reason to believe that he  
18 will attempt to escape?

19 MR. BERTEL:

20 Same objection; same reasons.

21 A (No Response.)

22 BY MR. EDWARD WEGMANN:

23 Q Did the District Attorney's Office or anyone  
24 associated with it advise the news media  
25 that Mr. Shaw's arrest was eminent?

1 MR. BERTEL:

2 Same objection; same reasons.

3 A (No Response.)

4 BY MR. EDWARD WEGMANN:

5 Q Are you carrying a pistol today?

6 A No.

7 Q Do you usually carry a pistol?

8 A No.

9 Q How often do you carry a pistol?

10 MR. BERTEL:

11 Same objection; same reasons.

12 A (No Response.)

13 BY MR. EDWARD WEGMANN:

14 Q Were you wearing a pistol the night you parti-  
15 cipated in the seizure of certain property  
16 from Mr. Shaw's home on March 1, 1967?

17 MR. BERTEL:

18 Same objection; same reasons.

19 A (No Response.)

20 BY MR. EDWARD WEGMANN:

21 Q Who aided and assisted you in the search of  
22 Mr. Shaw's home and the seizure of his  
23 property?

24 MR. BERTEL:

25 Same objection; same reasons.

1 A (No Response.)

2 BY MR. EDWARD WEGMANN:

3 Q Is it not a fact that you as well as all of  
4 your associates, if not all, most of your  
5 associates were wearing pistols at that  
6 time?

7 MR. BERTEL:

8 Same objection; same reasons.

9 A (No Response.)

10 BY MR. EDWARD WEGMANN:

11 Q Were you wearing a pistol when you appeared in  
12 court during preliminary hearing?

13 A No.

14 Q Was Jim Garrison wearing one?

15 A I don't know.

16 Q Isn't it a fact that he was wearing a pistol?

17 A I don't know.

18 Q How many bodyguards did Jim Garrison have in  
19 the courtroom during the preliminary  
20 hearing?

21 A I don't know.

22 Q Did he have any?

23 A I don't know.

24 Q Isn't it a fact that he did have bodyguards?

25 A I don't know.

1 Q How many bodyguards does he have?

2 A I don't know.

3 Q Isn't it a fact that certain members of the  
4 police force are assigned to Jim Garrison  
5 as his bodyguards?

6 A I don't know.

7 Q Did you ever interrogate Vernon Bundy?

8 MR. BERTEL:

9 Same objection; same reasons.

10 A (No Response.)

11 BY MR. EDWARD WEGMANN:

12 Q Has Vernon Bundy ever been interrogated?

13 MR. BERTEL:

14 Same objection; same reasons.

15 A (No Response.)

16 BY MR. EDWARD WEGMANN:

17 Q Has Vernon Bundy ever been interrogated by the  
18 District Attorney's Office or any members  
19 of its staff?

20 MR. BERTEL:

21 Same objection; same reasons.

22 A (No Response.)

23 BY MR. EDWARD WEGMANN:

24 Q Is it not a fact that Vernon Bundy has been  
25 given immunity from prosecution in return

1 for the false testimony which he gave  
2 against Clay Shaw?

3 MR. BERTEL:

4 Same objection; same reasons.

5 A (No Response.)

6 BY MR. EDWARD WEGMANN:

7 Q Did you conduct a preliminary hearing held in  
8 connection with charges filed recently  
9 against Vernon Bundy?

10 MR. BERTEL:

11 Same objection; same reasons.

12 A (No Response.)

13 BY MR. EDWARD WEGMANN:

14 Q What witnesses have you bribed in connection  
15 with the Kennedy assassination probe?

16 MR. BERTEL:

17 Same objection; same reasons.

18 A (No Response.)

19 BY MR. EDWARD WEGMANN:

20 Q What witnesses have you bribed in connection  
21 with the case of the State of Louisiana  
22 versus Shaw?

23 MR. BERTEL:

24 Same objection; same reasons.

25 A (No Response.)

1 BY MR. EDWARD WEGMANN:

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2 Q How many witnesses have you bribed either in  
3 connection with the Kennedy assassination  
4 probe as conducted by Garrison, yourself  
5 and the other members of his staff or in  
6 connection with the Shaw case?

7 MR. BERTEL:

8 Same objection; same reasons.

9 A (No Response.)

10 BY MR. EDWARD WEGMANN:

11 Q How many times have you attempted to bribe one  
12 or more witnesses?

13 MR. BERTEL:

14 Same objection; same reasons.

15 A (No Response.)

16 BY MR. EDWARD WEGMANN:

17 Q Have you ever attempted to bribe any witness?

18 MR. BERTEL:

19 Same objection; same reasons.

20 A (No Response.)

21 BY MR. EDWARD WEGMANN:

22 Q Did you influence Perry Raymond Russo's testi-  
23 mony in the preliminary hearing in any  
24 manner, shape or form?

25 MR. BERTEL:

1 Same objection; same reasons.

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2 A (No Response.)

3 BY MR. EDWARD WEGMANN:

4 Q Isn't it a fact that you did assist in the  
5 creation of the hallucinatory testimony  
6 adduced from Perry Raymond Russo during  
7 the preliminary hearing?

8 MR. BERTEL:

9 Same objection; same reasons.

10 A (No Response.)

11 BY MR. EDWARD WEGMANN:

12 Q How many witnesses have you intimidated in  
13 order to get them to co-operate with you  
14 and your office in connection with the  
15 Shaw case?

16 MR. BERTEL:

17 Same objection; same reasons.

18 A (No Response.)

19 BY MR. EDWARD WEGMANN:

20 Q How many witnesses does your office have who  
21 will identify Clay Shaw, the defendant  
22 in the case of State versus Shaw, as Clay  
23 Betrand or Clem Bertrand?

24 MR. BERTEL:

25 Same objection; same reasons.

1 A (No Response.)

2 BY MR. EDWARD WEGMANN:

3 Q What are the names of the witnesses who will  
4 testify against Shaw, against Mr. Shaw,  
5 to the effect that he has at some time or  
6 other in the past used the name of either  
7 Clay Betrand or Clem Betrand?

8 MR. BERTEL:

9 Same objection; same reasons.

10 A (No Response.)

11 BY MR. EDWARD WEGMANN:

12 Q Have you knowingly suppressed evidence which  
13 would be helpful to Mr. Shaw and the  
14 defense of the charges pending against  
15 him in the Criminal District Court for the  
16 Parish of Orleans?

17 MR. BERTEL:

18 Same objection; same reasons.

19 A (No Response.)

20 BY MR. EDWARD WEGMANN:

21 Q Is it not a fact that you and/or other members  
22 of the District Attorney's staff have  
23 suppressed evidence which would assist  
24 Mr. Shaw in the defense of the charges  
25 pending against him?

1 MR. BERTEL:

2 Same objection; same reasons.

3 A (No Response.)

4 BY MR. EDWARD WEGMANN:

5 Q Is it not a fact that you and/or other members  
6 of the District Attorney's staff have  
7 taken action to prevent Sandra Moffett  
8 McMaines from returning to this jurisdic-  
9 tion because you know that her testimony  
10 will be helpful to Mr. Shaw in defense of  
11 the charges pending against him?

12 MR. BERTEL:

13 Same objection; same reasons.

14 A (No Response.)

15 MR. EDWARD WEGMANN:

16 We will rest.

17 MR. DYMOND:

18 Pending further order of court.

19 MR. EDWARD WEGMANN:

20 I tender the witness.

21 MR. BERTEL:

22 No questions.

23 ... Whereupon, at the hour of 11:45

24 o'clock a.m. the deposition was

25 recessed. ...

WITNESS' CERTIFICATE

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1  
2 I, JAMES L. ALCOCK, do hereby certify  
3 that I have read the foregoing pages 3 through 109  
4 inclusive and find them to be a true and correct  
5 transcript of the testimony as given by me in the  
6 entitled cause, to the best of my knowledge and  
7 ability.  
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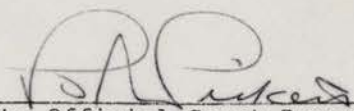
\_\_\_\_\_  
JAMES L. ALCOCK  
Witness.

C E R T I F I C A T E

I, the undersigned, a Deputy Official Court Reporter in and for the State of Louisiana, authorized and empowered by law to administer oaths and to take the depositions of witnesses under L.R.S. 13:961.1, as amended, do hereby certify that the above and foregoing deposition is true and correct as taken by me in the above-entitled and -numbered cause(s).

I further certify that I am not of counsel nor related to any of the parties to this cause or in anywise interested in the event thereof.

NEW ORLEANS, LOUISIANA, on the 7 day  
of June 1968.

  
Deputy Official Court Reporter